

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7726 of 2015

ORDER :

The Criminal Petition is filed by the petitioners under Section 482 Cr.P.C to quash the proceedings in C.C. No.138 of 2008 on the file of Judicial Magistrate of the First Class, Kota, SPSR Nellore District.

2) Heard the learned counsel for the petitioners and the respondent-State represented by the Public Prosecutor and perused the material on record.

3) In fact, the material falls short for this Court to admit the application which was filed under Section 482 Cr.P.C to quash the calendar case proceedings supra, taken cognizance for the offence punishable under Section 379 read with 511 I.P.C. No doubt as submitted by the learned counsel for the petitioners, the case is pending since 2008 which is the outcome of Crime No.29 of 2008 of Chittamuru Police Station covered by the police proceedings of seizure of the lorries while lifting the sand through J.C.B by illegally excavating and loading.

4) Having regard to the above, the application is disposed of by directing the trial Court to give expeditious disposal of the case pending since 2008, preferably within a period of three months from the date of receipt of this order and as per the letter and spirit of Section 309

Cr.P.C. If not completed within three months, as directed supra, the learned Magistrate shall assign reasons and ask for extension.

5) Consequently, the miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

10.09.2015
ksh