

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1960 of 2015

ORDER:

-

1. This Criminal Revision Case is filed by the petitioner aggrieved by the Judgment dated 21.4.2015 passed in CrI.A.No.95 of 2013 by the Principal Sessions Judge, Ranga Reddy District, L.B. Nagar.

2. Brief facts of the case are as follows:

On 22.7.2013, the 3rd respondent along with panchayatdars, inspected the fair price shop of the petitioner, verified the records, registers and gave a report under Section 6A of the Essential Commodities Act to the 2nd respondent stating that there were some irregularities regarding the distribution of opening stock of July, 2013. The 3rd respondent seized the available stock of 9 bags of rice, each consisting of 50 kgs; 5 kgs loose rice; 24 packets of sugar of ½ kg each; 12 packets of palm oil; 1200 litres of kerosene and 23 kgs of tuwar dal. The 2nd respondent-Collector, Ranga Reddy District, after following necessary formalities and after conducting enquiry, rejected the explanation of the petitioner and passed orders for confiscation of 100% of the seized stocks worth Rs.19,095/- in favour of the Government. Aggrieved by the same, the petitioner filed an appeal i.e., CrI.A.No.95 of 2013 before the learned Principal Sessions Judge, Ranga Reddy District, L.B. Nagar. On re-appreciation of the evidence, the learned Sessions Judge dismissed the appeal confirming the order of the 2nd respondent. Hence, the petitioner filed this revision.

3. Heard and perused the material available on record.

4. The statement of the 3rd respondent coupled with the statements of the panchayatdars clearly goes to show that irregularities were committed by the petitioner regarding the distribution of opening stocks. Further, it is evident that the petitioner failed to give satisfactory explanation for the irregularities alleged to have been committed by her. Considering the facts and circumstances of the case and in view of the concurrent findings of both the authorities with regard to irregularities, this Court is not inclined to interfere with the judgment under revision.

5. At this stage, the learned Counsel for the petitioner has sought for modification of the confiscation order.

6. Taking into consideration the above submission made by the learned Counsel for the petitioner, the order of the lower appellate Court i.e., confiscation of 100% of the seized stock worth Rs.19,095/- in favour of the Government to that of 50% of the seized stock. The remaining seized stock shall be returned to the petitioner.

7 With the above modification, the Criminal Revision Case is disposed of. Consequently, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 30.10.2015

Nn

THE HONOURABLE SRI JUSTICE RAJA ELANGO

-
-
-
-
-
-
-
-
-
-
-
-

CRIMINAL REVISION CASE No.1960 of 2015

-
-
-
-

30.10.2015

Nn