

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1779 OF 2015

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ORDER:

This Criminal Revision Case is filed against judgment, dated 16.06.2015, passed in CrI.A.No.15 of 2014, by the Principal Sessions Judge, Ranga Reddy District.

The brief facts of the case are that the Assistant Supply Officer, RR East Division, R.R. District, on receiving information that a lorry was found in suspicious circumstances at Injapur on 24.12.2012, visited that place and found a lorry bearing No.AP 29 TA 6003 loaded with 170 quintals of rice packed in 340 bags of 50 kgs., each. On enquiry, the driver of the lorry disclosed that one Sampath has loaded the said rice and instructed him to deliver the same to M/s.Venkat Sai Trades, Makthal, Mahaboobnagar District. The driver produced the invoice prepared by M/s. SLN Traders in favour of M/s. Venkat Sai Traders. The ASO seized the entire stock of rice worth Rs.3,23,000/- and also the lorry worth Rs.5,00,000/- in the presence of panchas and filed a complaint before the Collector for taking necessary action under Section 6-A of the Essential Commodities Act. The Collector (CS), Ranga Reddy District, after conducting enquiry, has passed orders of confiscation of 100% of the seized stock and also imposed 10% penalty on the lorry. Aggrieved by the order of the Collector, the petitioner preferred CrI.A. No.15 of 2014 before the Principal Sessions Judge, Ranga Reddy District. The learned Sessions Judge dismissed the appeal by reducing the confiscation of 100% seized stock to confiscation of 25% of seized stock. Challenging the same, the petitioner preferred the present revision.

Learned counsel for the petitioner submits that both the Courts below have failed to consider whether the seized stocks are essential commodity or not and whether the petitioner has contravened clause

17(A) of the A.P. State Public Distribution (Control) Order, and without considering the same, the confiscation order was passed.

After perusing the entire material available on record and after hearing the submissions made by the learned counsel for the petitioner, this Court is of the view that the confiscation ordered by the learned Sessions Judge can be reduced.

Accordingly, the Criminal Revision Case is disposed of modifying the judgment of the learned Principal Sessions Judge, Ranga Reddy District, passed in CrI.A.No.15 of 2014, dated 16.06.2015, by reducing the confiscation of 25% of the seized stock to 15% of the seized stock.

Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

August 28, 2015.
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