

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.1066 of 2015

ORDER

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This revision is preferred against the judgment dated 03.03.2015 passed in Crl.A.No.102 of 2013 by the learned Principal Sessions Judge, Ranga Reddy District at L.B.Nagar.

2. The brief facts of the case are that on information, the Assistant Supply Officer, R.R. East Division, along with the mediators visited the rice mill styled as 'Datta Sai Rice Industries', located at Ahmedguda Village, Keesara Mandal, on 13.06.2013 and found 138.00 Qtls of PDS rice, 17.50 Qtls of broken rice and 135.20 Qtls of paddy. On enquiry, the petitioner stated that the said rice mill belongs to his wife and it was seized in the month of April, 2013 for not maintaining Form-B Register and for storing PDS rice without any account. When they questioned the petitioner to produce the permission issued by the CCS, Hyderabad and the vouchers and records pertaining to the farmers, who have supplied him the paddy, he failed to do so. Thereafter, they handed over the seized stocks to the VRO, Ahmedguda Village, filed a report before the Collector and initiated proceedings under Section 6-A of the Essential Commodities Act, 1955 against the petitioner.

3. The Collector (CS) Ranga Reddy District, after conducting an enquiry, rejected the contentions put forth by the petitioner in his explanation and ordered confiscation of 100% of the seized stocks worth Rs.3,56,156/- in favour of the Government.

Aggrieved by the same, the petitioner filed CrI.A.No.102 of 2013. By the impugned judgment, the learned Sessions Judge dismissed the appeal confirming the order impugned therein. Questioning the same, the petitioner filed the present revision.

4. Heard both sides and perused the material available on record.

5. On perusal of the material available on record, it is evident that there was variation of stock in the rice mill of the petitioner and he failed to produce Form-A register showing the particulars of supply of paddy by the farmers, at the time of inspection. Therefore, on appreciation of facts and circumstances of the case, the lower appellate Court dismissed the appeal confirming the order of the Collector. On perusal of the entire material on record and in view of the concurrent findings, this Court finds no illegality or irregularity in the judgment passed by the lower appellate Court. But however, in the facts and circumstances of the case, this Court is inclined to modify the judgment impugned ordering confiscation of the seized stock worth Rs.1,50,000/- out of the entire stock worth Rs.3,56,150/- to the Government and rest of the seized stock shall be returned to the petitioner.

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

JUSTICE RAJA ELANGO

23rd June, 2015
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