

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.16651 of 2016

ORDER:

This Criminal Petition, under Section 482 Cr.P.C., is filed to quash the proceedings in Crime No.160 of 2012 of Pothina Mallayyapalem Police Station, Visakhapatnam, for the offences punishable under Sections 448 and 506 read with 34 IPC. The petitioner is accused No.2 in the aforesaid crime.

During hearing, learned counsel for the petitioner would submit that though police filed charge sheet against the petitioner on 12.08.2012, learned Metropolitan Magistrate, Bheemunipatnam failed to take cognizance and kept pending for more than four years. A copy of the charge sheet is placed on record for perusal of this Court.

On that ground alone, learned counsel for the petitioner sought for quashing of Crime No.160 of 2012 besides other grounds. He confined his argument to the delay in taking cognizance of the complaint. On that ground, this Court cannot quash the proceedings in Crime No.160 of 2012. Having considered facts and circumstances of the case and the delay in taking cognizance by the learned Metropolitan Magistrate, and without advertng to the merits of the case, I deem it appropriate to issue a direction to the Magistrate concerned to take cognizance of the complaint, if it is in order, within a week from the date of receipt of a copy of this

order and dispose of the same as expeditiously as possible and, in any event, not later than six months.

With the above direction, the Criminal Petition is disposed of at the admission stage. Miscellaneous petitions pending, if any, shall stand dismissed.

M.SATYANARAYANA MURTHY,J

Date:14.12.2016
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