

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.11820 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. seeking a direction to the Judicial Magistrate of First Class, Kothavalasa, Vizianagaram, to dispose of CrI.M.P.No.4902 of 2015 in Crime No.103 of 2015, for taking cognizance of the offence under Section 4 of SC & ST (Prevention of Atrocities) Act, 1989 (for short 'the Act').

It is the case of the petitioner/complainant that originally, he filed a complaint before the Station House Officer, Kothavalasa, 07.03.2013 and based on the same, a case in Crime No.51 of 2013 was registered for the offences punishable under Sections 420, 465 and 120(b) I.P.C and Section 3(i)(v) of the Act; that Smt. K. Krishna Prasanna was appointed as the investigating officer; that she has not completed the investigation within 30 days and that the report filed by her discloses that she filed the same with an intention to protect the accused from punishment. The petitioner filed a complaint against the said investigating officer, based on which, a case in Crime No.103 of 2015 was registered. The police, after investigation, filed final report referring the case as 'Mistake of Law'. Aggrieved by the same, the petitioner filed CrI.M.P.No.4902 of 2015 before the Judicial Magistrate of First Class, Kothavalasa, for taking cognizance on the final report. Now, the grievance of the petitioner is that though the said petition was filed in December, 2015, no orders are passed thereon so far.

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor, representing the State.

Having regard to the facts and circumstances of the case and since the CrI.M.P filed by the petitioner is pending since December, 2015, I deem it appropriate to direct the Court below to dispose of the petition within a period of two weeks.

Accordingly, the Criminal Petition is disposed of, directing the Court below to pass appropriate orders in CrI.M.P.No.4902 of 2015 in Crime No.103 of 2015, within a period of two weeks from the date of

receipt of a copy of this order.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 11.08.2016
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