

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.14360 OF 2016

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C.'), is filed to quash the proceedings against the petitioner in L.P.C. No.61 of 2004 in C.C. No.428 of 21997 pending on the file of VI Additional Chief Metropolitan Magistrate, Hyderabad, on various grounds.

However, Sri H.Sudhakar Rao, learned counsel for the petitioner, drawn the attention of this Court to the direction issued by this Court in CrI.P.No.1001 of 2015 wherein this Court directed the trial court to dispose of L.P.C. No.61 of 2004 in C.C. No.428 of 1997 as expeditiously as possible by order dated 09.12.2015.

According to the counsel for the petitioner, so far only one witness was examined and the trial court is not taking up the matter as the office is vacant for last many days.

No doubt, there is any amount of justification in making request to this Court to direct the trial court, to decide the matter, since dragging the matter for years together is violation of fundamental rights of speedy trial guaranteed under Article 21 of the Constitution of India, but it is not a ground to quash the proceedings.

In view of the circumstances pointed out by the counsel for the petitioner, I deem it appropriate to direct the Officer, who is holding Full Additional Charge of the Court of VI Additional Chief Metropolitan Magistrate, Hyderabad, to decide L.P.C.

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No.61 of 2004 in C.C. No.428 of 1997 as expeditiously as possible, in any event not later than three months.

Accordingly, the criminal petition is disposed of, at the stage of admission.

Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

M. SATYANARAYANA MURTHY, J

Date: 22.12.2016
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