

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CRIMINAL PETITION No.16373 OF 2016

ORDER:

1 This Criminal Petition is filed under Section 482 Cr.P.C. challenging the inaction on the part of the learned II Additional Special Judge for CBI Cases, Visakhapatnam in disposing of CrI.M.P.No.255 of 2008 in RC.No.04(A)/2006.

2 Heard the learned counsel for the petitioner and the learned Special Standing Counsel for CBI.

3 A perusal of the record reveals that the petitioner herein, who is accused No.5 is facing trial in C.C.No.14 of 2010 on the file of the Court of the II Additional Special Judge for CBI Cases, Visakhapatnam for the offences punishable under Sections 120-B, 419, 420, 468 and 471 of IPC. During pendency of trial, the petitioner filed CrI.M.P.No.255 of 2008 under Section 306 of Cr.P.C. For one reason or the other, the trial Court did not dispose of the said petition.

4 At the time of arguments, the only relief sought by the learned counsel for the petitioner is to direct the trial Court to dispose of the CrI.M.P.No.255 of 2008 as expeditiously as possible.

5 The learned Special Standing Counsel for CBI also consented for the same.

6 In view of the submissions made by the learned counsel for the parties, this Court is not inclined to go into the merits of the main case.

(2)

7 Having regard to the facts and circumstances of the case and the submission made by the learned counsel for the parties, the trial Court is hereby directed to dispose of CrI.M.P.No.255 of 2008 filed by the petitioner/A.5 as expeditiously as possible, preferably, before the 313 Cr.P.C. examination of the accused in the case.

8 With the above direction, this Criminal Petition is disposed of. As a sequel, miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

Date: 6th December, 2016
Kvsn

T. SUNIL CHOWDARY, J

