

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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CRIMINAL PETITION No.4716 of 2016

ORDER:

This Criminal Petition is filed by the petitioner-accused No.2 under Section 482 Cr.P.C., seeking to quash the proceedings against him in CC No.87 of 2015 on the file of the Special Magistrate, Cyberabad, Hayathnagar, Hyderabad.

Heard and perused the material available on record.

The petitioner is alleged to have committed the offences punishable under Sections 341, 323 and 427 r/w.34 IPC. After duly enquiring into the complaint filed by the de facto complainant, the police filed charge sheet.

The main contentions raised by the learned counsel for the petitioner are that the said offences are punishable less than two years imprisonment and the cognizance should be taken within a period of three years, but in the present case, the charge sheet was filed after three years from the date of occurrence and hence, the proceedings in the above case against the petitioner may be quashed.

A perusal of the record discloses that the occurrence took place on 25.12.2010 whereas the charge sheet was filed on 21.07.2014, beyond the period of three years and hence, this Court is of the view that on the ground of limitation the proceedings in the above CC can be quashed.

Accordingly, the Criminal Petition is allowed and the proceedings against the petitioner in CC No.87 of 2015 on the file of Special Magistrate, Cyberabad, Hayathnagar, Hyderabad are hereby quashed. Miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

April 06, 2016.
KTL