

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.31707 OF 2013

ORDER:

With the consent of both counsel, this Writ Petition is disposed of at the stage of admission itself.

This Writ Petition came to be filed under Article 226 of the Constitution of India seeking to direct the respondents to pass appropriate orders on the representations submitted by the petitioner and also to declare the inaction of the respondents as illegal and arbitrary.

At the time when the matter is taken up for hearing, the learned counsel for the petitioner would submit that the request of the petitioner made to the Government for taking steps for withdrawal of the criminal case, which is pending consideration, may be directed to be dealt with in accordance with law.

With regard to withdrawal i.e. C.C.No.76 of 2004, which is pending before the Court of Additional JFCM, Sanga Reddy, the learned Government Pleader for Home would submit that the request of the petitioner cannot be considered. In any event, the learned Government Pleader would submit that the representation of the petitioner was already considered and the benefits to which he is entitled to were released.

In reply, the learned counsel for the petitioner submits that petitioner's representation was considered only with regard to the benefits to which he is entitled to and not with regard to the withdrawal of the prosecution.

Having regard to the submissions made by both the counsel and taking into consideration Section 321 of the Code of Criminal Procedure, the petitioner shall make a fresh representation to the

Government seeking withdrawal of the criminal case, in which event, the same may have to be dealt with in accordance with law. It is made clear that the petitioner shall make such application, within a period of one week from the date of receipt of a copy of this order, in which event, the same shall be dealt with within a period of four to six weeks from the date of making such application.

Accordingly, the Writ Petition is disposed of.

Miscellaneous Petitions pending in this petition, if any, shall stand closed. No order as to costs.

27.04.2017
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JUSTICE C. PRAVEEN KUMAR