

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.2698 of 2001

ORDER:

This Writ petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking to declare the action of the respondents in registering the case in Crime No.33 of 2001 of P.S Chevella on 09.02.2001 under Section 353 IPC as illegal and arbitrary and consequently, direct the respondents not to proceed against the petitioner.

Heard and perused the material available on record.

When the matter is taken up for hearing today, learned Government Pleader for Home informed that they have already sent the proposal to the Assistant Public Prosecutor to file an application for withdrawal of the case invoking the provision under Section 321 Cr.P.C.

Recording the same, this Court is of the view that instead of directing the petitioner to appear before the Court and the respondents to file a petition for withdrawal of the case, the proceedings against the petitioner in Crime No.33 of 2001 can be quashed.

Accordingly, the Writ Petition allowed and the proceedings against the petitioner in Crime No.33 of 2001 on the file of Chevella Police Station, Raga Reddy District, for the offence under Section 353 IPC, are hereby quashed. No order as to costs. Miscellaneous petitions pending if any, shall stand closed.

RAJA ELANGO, J

July 31, 2017.
KTL