

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.1691 OF 2017

ORDER:

The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Cr.P.C.') requesting to quash the First Information Report in Crime No.29 of 2017 of Kamanpur Police Station, Peddapally District.

2. Heard Sri Y. Rama Rao, learned counsel for the petitioners and the learned Additional Public Prosecutor for the State of Telangana.

3. Learned counsel would try to impress upon this Court that M/s.Mallikarjuna Stone Crushing Industry at Begumpet Village belong to the petitioners and they have got licence to run the unit, but, the *de facto* complainant, who is the Sub-Inspector of Police, Ramagiri Police Station, Warangal District, sets out in the complaint that the petitioners even have a quarry taken on lease, but they did not produce the licence for quarrying. Learned counsel would further submit that, in fact, though seizure said to have been effected, nothing is shown in the First Information Report against the relevant column.

4. Learned Additional Public Prosecutor would resist the request on the ground that no licence was produced by the petitioners when the Sub-Inspector of Police, while conducting the seizure panchanama, sought for its production, and, therefore, it is a case attracting the offence punishable under Section 3 of the Explosive Substances Act, 1884.

5. The present case is at crime stage and investigation has to go on, for the reason, no blasting shall be done without there being a licence though quarry is taken on lease by the petitioners. Certainly, it cannot be said that there is abuse of process of law in proceeding with the investigation nor can it be said that the present complaint is vexatious.

6. Accordingly, the criminal petition is dismissed at the admission stage itself.

7. As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition stand closed.

March 6, 2017.

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A. SHANKAR NARAYANA, J

