

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.1061 of 2017

ORDER:

This criminal petition is filed, under Section 482 of Cr.P.C., by the petitioners/A-1 & A-2 seeking to quash the order, dated 24.01.2017, of the learned Principal Sessions Judge, Khammam, passed in CrI.R.P.No.62 of 2016 in CrI.M.P.No.2311 of 2016 in C.C.No.170 of 2012.

2. Heard learned counsel for the petitioners and learned Public Prosecutor and with their consent, the criminal petition is disposed of at the admission stage. Perused the material available on record.

3. Learned counsel for the petitioners contends that the prosecution filed CrI.M.P.No.2311 of 2016 under Section 311 Cr.P.C. seeking to examine the Sub-Inspector of the Khanapuram Haveli Police Station where originally crime was registered at the fag end of the trial and hence, the impugned order cannot be sustained.

4. But, in my considered opinion, when there is no dispute that the crime was originally registered in another police station and that it was transferred to the present police station, there is no prejudice that can be assumed, to be occurring by examining the Sub-Inspector, who transferred the case file to the present Police Station. An opportunity to the prosecution to bring forth relevant evidence should not be denied simply because the petition is filed at the fag end of the trial.

5. With the above observations, the Criminal Petition is dismissed.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

JUSTICE T. RAJANI

Date: 12th October, 2017
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