

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION Nos.4757 & 8048 of 2017

COMMON ORDER:

The selfsame petitioner as accused in crime No.540 of 2017 dated 08.06.2017 of Banjara Hills Police Station, Hyderabad, registered for the offences punishable under Sections 353 & 504 IPC and 2nd accused in STC.No.5082 of 2017 on the file of IV Metropolitan Magistrate, Hyderabad, from the report filed by the said Tirumalagiri Police Station for the offences punishable under Sections 188, 180, 179/177 of the Motor Vehicles Act taken cognizance by the learned Magistrate. He is seeking to quash the proceedings of the crime No.540 of 2017 vis-à-vis STC.No.5082 of 2017 supra. So far as the crime No.540 of 2017 concerned, the Sub Inspector of Police, Tirumalagiri, lodged the report dated 08.06.2017 before the Banjara Hills Police Station for the alleged occurrence taken place on 06.05.2017, there is about a month delay with no explanation for the alleged occurrence in reporting to the police and such occurrence covered by the report in registering the crime in verbatim almost silent in the STC No.5082 of 2017 covered by PTC No.339/2017.

Having regard to the above for the inordinate delay, from another Bench of this Court after hearing granted stay of the proceedings, it is a fit case to quash the proceedings for the unexplained delay rather than continuing the same to sub serve the ends of justice.

Now coming to the STC.No.5082/2017 concerned, from perusal of the entire material on record, but for if at all the offence under Section 180 of MV Act, so far as the other Sections

applicability concerned, from the facts there is nothing to quash the proceedings. Having regard to the above, by left open all available defences the Criminal Petition can be disposed of to face trial.

Accordingly and in the result, CrI.P.No.4757 of 2017 is allowed by quashing the proceedings in crime No.540 of 2017 and bail bonds stand cancelled and the CrI.P.No.8048 of 2017 is disposed of for nothing to interfere and any defence is left open during trial.

Pending miscellaneous petitions, if any, shall stand closed.

Date: 24.10.2017
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JUSTICE Dr. B.SIVA SANKARA RAO

