

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7114 of 2017

ORDER:

Heard learned counsel for the petitioner/ accused in C.C. No.568 of 2016 pending on the file of Additional Judicial First Class Magistrate at Parkal, and also learned public prosecutor representing the respondent—State before ordering notice to 2nd respondent—de facto complainant and perused the quash petition grounds and the FIR, charge sheet and other material on record including the final report mentioning the opinion of the head injury sustained by the de facto complainant as grievous in nature.

The main contention of the learned counsel for the petitioner is that the alleged occurrence has taken place on 24.02.2017 but reported on 26.02.2017. There delay of one day in lodging the report is a matter for trial and nothing at this stage to interdict the trial proceedings much less to quash. Hence, there are no grounds to admit the petition or interdict the trial.

Hence, the Criminal Petition is disposed of, for nothing to admit or to quash the proceedings, without prejudice to avail the defences of the accused put forth before the trial Court.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 17.08.2017
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