

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No. 40 OF 2018

ORDER:

This petition is filed under Section 482 of the Code of Criminal Procedure (for short, 'Cr.P.C.') to quash the proceedings in crime No. 33 of 2016 of Gooty I Town Police Station, Ananthapuramu District.

2. Respondent No. 2 lodged a report with the police and the same was registered as a case in crime No. 33 of 2016 of Gooty I Town Police Station for the offence punishable under Sections 323, 354 and 506 I.P.C. and issued F.I.R. dated 10-03-2016. During investigation, the investigating agency collected evidence and concluded that there is no material in support of the case of the complainant and therefore requested to treat the case as false. Respondent No. 2 filed protest petition on the file of the Court of Judicial I Class Magistrate at Gooty (for short, 'the Court below') on 29-11-2016. Thereafter, the petition underwent as many as 20 adjournments. Since respondent No. 2 did not appear before the Court below to complete the inquiry in the protest petition, it is still pending. Though the petitioner raised several contentions in the grounds, he did not insist the Court to quash the proceedings. However, the petitioner requested this Court to issue necessary direction to the Court below to dispose of the same in a timeframe.

3. Acceding to the innocuous request of learned counsel for the petitioner and exercising power under Section 483 Cr.P.C., without touching the merits of the case, I deem it appropriate to direct the Court below to decide the protest petition in accordance with law as expeditiously as possible and in any event not later than two months from the date of receipt of a copy of this order.

4. With the above direction, the criminal petition is disposed of. Pending miscellaneous petitions, if any, in this criminal petition shall stand closed in consequence.

Date: 04-01-2018.

JSK

M.SATYANARAYANA MURTHY, J.

