

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.548 OF 2018

ORDER:

This petition is filed by the petitioners-A1 to A3 under Section 482 Cr.P.C. to quash the proceedings in Cr.No.337 of 2017 on the file of the Station House Officer, Sathupally Police Station, Khammam District, which was registered for the offences punishable under Sections 406 and 409 r/w 34 IPC.

2. Heard learned counsel for the petitioners, learned Assistant Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioners would submit that the allegations in the F.I.R. do not constitute the offences under any of the penal provisions. At the most, it can be contravention under Section 7 of the Control Orders and ultimately, prayed to allow the petition.

4. On the other hand, learned Assistant Public Prosecutor opposed the relief sought for by the petitioners in the petition.

5. The specific allegation against the petitioners is that PDS rice was purchased in huge quantity. When 97 quintals of PDS rice was being transported by the DCM Van bearing No. AP 12W 1168, the vehicle was intercepted on 28.11.2017. Whether the allegations do constitute the offences under any of the penal provisions or whether there is contravention of Section 20 of the Control Orders can only be determined after full-fledged investigation in this case. The matter requires investigation. Therefore, it is not appropriate to quash the proceedings.

6. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions, if any pending in this Criminal Petition shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 01-02-2018.

Hsd

