

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.8735 of 2013

ORDER:

The criminal petition is filed seeking quash of the proceedings in CC.No.813 of 2015, against the petitioners, who are A1 and A2, on the file of the XII Additional Chief Metropolitan Magistrate Class, Nampally. The offences alleged are under Sections 18(c), 18(a)(i), 18-B and 17(b) of the Drugs and Cosmetics Act..

2. Heard the counsel for the petitioners and the learned Public Prosecutor appearing for the second respondent. None appears for the first respondent.

3. The counsel for the petitioners submits that the date of inspection was 04.11.2000 and the cognizance of the complaint was taken on 20.03.2004, which is more than three years, which is beyond the period of limitation, as per Section 468 of the Criminal Procedure Code.

4. Hence, this Court opines that the cognizance of the complaint having been taken beyond the period of limitation cannot be sustained.

The criminal petition is allowed and the proceedings in CC.No.813 of 2015, against the petitioners, who are A1 and A2, on the file of the XII Additional Chief Metropolitan Magistrate Class, Nampally, are hereby quashed. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

T. RAJANI, J

November 30, 2018/DSK