

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.16162 OF 2016

ORDER:

This petition is filed under Section 482 of Criminal Procedure Code (for short "Cr.P.C.") to quash the proceedings in C.C.No.49 of 2014 on the file of Court of XV Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, on the sole ground that there is abnormal delay in completion of trial, despite the direction issued by this Court in CrI.P.No.6625 of 2016, dt. 27.04.2016, whereby this Court directed the trial Court to decide the matter within three months from the date of receipt of a copy of the Order. But, till today, the examination of PW.1 is not completed and thus, he sought for quashment of the proceedings.

Delay is not a ground to quash the proceedings, as held by this Court in "**M.Yadagiri Goud v. Inspector of Police, Anti Corruption Bureau, Hyderabad Range**"¹ and also held by the Apex Court in "**Ranjan Dweivedi v. C.B.I., through the Director General**"². Therefore, on the ground of delay, this Court cannot quash the proceedings exercising jurisdiction under Section 482 Cr.P.C. However, learned XV Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, is directed to try C.C.No.49 of 2014 on day to day basis and dispose of the same in accordance with law within a period of three months from the date of receipt of a copy of this Order and no further

¹ 1991 (3) ALT 80

² AIR 2012 SC 3217

time will be granted in this regard.

With the above directions, this Criminal Petition is disposed of.

The miscellaneous petitions pending, if any, shall also stand closed.

JUSTICE M. SATYANARAYANA MURTHY

Date:22.11.2016
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Dt.22.11.2016.



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