

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.10244 OF 2018

ORDER:

This criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in C.C.No.230 of 2016 on the file of Special Judge for Economic Offences at Hyderabad, registered for the offences punishable under Sections 276-B, 278-B (1) and (2) of the Income Tax Act, 1961 .

So far as the offences referred above are covered by judgment of this Court in CrI.P.No.5964 of 2018 dated 13.08.2018 as fairly conceded by learned counsel for the petitioners and learned Public Prosecutor, there is no need to decide the same issue again.

In view of the law declared by the Apex Court and this Court in the judgments referred in CrI.P.No.5964 of 2018, I find that it is appropriate to request the Special Judge for Economic Offences at Hyderabad to complete the trial and hear arguments of both sides, but shall not pronounce judgment till disposal of the appeal pending before Income Tax Appellate Tribunal.

I am sure that, in view of the peculiar circumstances of the case, the Income Tax Tribunal will take up the appeal pending before it, filed by the petitioners and dispose of the appeal, as expeditiously as possible, enabling the Special Judge for Economic Offences at Hyderabad to dispose of C.C.No.230 of 2016 pending before it.

Registry is directed to mark a copy of this judgment to the Income Tax Appellate Tribunal, Hyderabad, with a request to dispose of the appeal, as expeditiously as possible.

With the above directions, the criminal petition is dismissed.

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

M. SATYANARAYANA MURTHY,J

Date: 27.09.2018
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