

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

WRIT PETITION No.424 OF 2011

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking a writ of mandamus directing the 1st respondent to take appropriate steps for handing over the P.R.C.No.28 of 2009 on the file of Judicial Magistrate of First Class, Miryalaguda, Nalgonda District (Crime No.13 of 2008 of Peddavoora Police Station) to CB CID to take measures for further investigation in the interest of justice.

2. The petitioner is the father of the deceased and on the death of deceased, the police of Peddavoora Police Station registered Crime No.13 of 2008 for the offence under Section 302 r/w 34 IPC. The further facts are not much relevant at this stage in view of the submission of learned Government Pleader for Home. Government Pleader would submit that in this case, after investigation, charge sheet was filed by the police against two accused and case was taken cognizance and registered as P.R.C.No.28 of 2009 by Judicial Magistrate of First Class, Miryalaguda, Nalgonda District and committed to Sessions Court and the same was registered as S.C.No.404 of 2010 and made over to the Court of learned Additional Sessions Judge, III Fast Track Court, Miryalaguda, Nalgonda District and after full-fledged trial, the case was ended in

acquittal as per judgment dated 13.02.2013. He produced a copy of the judgment in S.C.No.404 of 2010.

3. In view of the above submission of learned Government Pleader for Home, the subject matter in the writ petition has become infructuous and therefore, the writ petition is dismissed as infructuous.

As a sequel, miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

13.08.2018
SS

U.DURGA PRASAD RAO, J

