

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.6978 OF 2021

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A1 to A3 seeking to quash the proceedings against them in Crime No.404 of 2021 of Godavarikhani I Town Police Station, Peddapalli District, registered for the offences under Sections 270 and 273 I.P.C.

2. Heard the learned counsel for the petitioners/A1 to A3, learned Assistant Public Prosecutor appearing for the respondents and perused the record.

3. The learned counsel for the petitioners/A1 to A3 would submit that the facts and circumstances of the case on hand are akin to the facts and circumstances of the cases in Crime No.34 of 2018 of Manakondur Police Station and C.C.No.230 of 2018 on the file of II Additional Judicial Magistrate of First Class, Jagtial, and the proceedings in the said cases were quashed by this Court vide orders, dated 27.08.2018 and 27.01.2021, passed in Criminal Petition No.3731 of 2018 and batch and Criminal Petition No.7271 of 2020, respectively. The allegations in the subject Crime also do not constitute the offences under Sections 270 and 273 I.P.C. against the petitioners/A1 to A3 and ultimately, prayed to allow the Criminal Petition, as prayed for.

4. The learned Assistant Public Prosecutor has fairly conceded the submissions made by the learned counsel for the petitioners/A1 to A3.

5. In view of the above submissions and the material placed on record, the allegations made against the petitioners/A1 to A3 in the subject Crime No.404 of 2021 of Godhavarikhani I Town Police Station, Peddapalli District, do not constitute the offences under Sections 270 and 273 I.P.C. and therefore, the proceedings against the petitioners/A1 to A3 in the subject crime are liable to be quashed.

6. In the result, this Criminal Petition is allowed and the proceedings in Crime No.404 of 2021 of Godhavarikhani I Town Police Station, Peddapalli District, against the petitioners/A1 to A3, are hereby quashed.

7. Since the proceedings in the subject crime are quashed, the petitioners/A1 to A3 are at liberty to file an appropriate application before the Court concerned seeking release of the seized property and the Court concerned shall consider the same and release the seized property, in accordance with law.

Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

Date: 15-09-2021
MD

Dr. SHAMEEM AKTHER, J