

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**TUESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 5232 OF 2022

Between:

Vinod Kumar Vyas, S/o. Ashok Kumar Vyas, Aged 42 Years, Occ: Business,
R/o,14-8-223, Purana pool, Hyderabad.

...PETITIONER/ACCUSED No.2

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad
2. P. Babu, Sub Inspector of police, P.S. Chaderghat, Hyderabad.

...RESPONDENT/COMPLAINANTS

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the proceedings against the Petitioners/Accused.No.2 in C.C..No. 2327 of 2022 of P.S.Chaderghat, Hyderabad pending on the file of the Hon'ble VIII ACMM, Hyderabad.

I.A. NO: 1 OF 2022

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay all further proceedings including the appearance of the Petitioners/Accused.No.2 in C.C.no..2327 of 2022 of P.S. Chaderghat, Hyderabad pending on the file of the Hon'ble VIII ACMM, Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri NANDA KISHORE YADAV ,Advocate for the Petitioner and of the

Assistant Public Prosecutor on behalf of the Respondent No.1 and none appeared for R2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN
CRIMINAL PETITION No.5232 OF 2022

ORAL ORDER:

The present Criminal Petition is filed under Section - 482 of the Code of Criminal Procedure, 1973, is filed to quash the proceedings in C.C.No.2327 of 2022 pending on the file of VIII Addl. Chief Metropolitan Magistrate, Hyderabad.

2. The petitioner herein is accused No.2 in the said C.C. The offences alleged against him are under Sections - 188, 272, 273 and 420 r/w.511 of the IPC and Sections - 5 and 20(2) of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (for short 'COTP Act').

3. Heard Sri Nand Kishore Yadava, learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondents, and perused the record.

4. Perusal of the record would reveal that the *lis* involved in this case had already been dealt with by this Court extensively in **Mohd. Jameel Ahmed v. State of Telangana**¹ and also vide common order dated 10.06.2022 in CrI.P.No.5619 of 2020 and batch.

5. Therefore, the present Criminal Petition is allowed quashing the proceedings in C.C.No.2327 of 2022 pending on the file of VIII Addl. Chief Metropolitan Magistrate, Hyderabad, in terms of the decision in **Mohd. Jameel Ahmed (Supra)** and the Common Order dated 10.06.2022 in CrI.P.No.5619 of 2020 and batch. Miscellaneous petitions, if any, pending in this criminal petition, shall stand closed.

//TRUE COPY//

SD/-T.JAYASREE
ASSISTANT REGISTRAR
(Signature)
SECTION OFFICER

To,

1. The VIII Additional Chief Metropolitan Magistrate, Hyderabad.
2. The Station House Officer, Police Station Chaderghat, Hyderabad.
3. One CC to SRI. NANDA KISHORE YADAV, Advocate. [OPUC]
4. One CC to SRI. PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad.[OUT]
5. Two CD Copies
6. One Spare Copy

SB

(Signature)

HIGH COURT

DATED:21/06/2022

ORDER

CRLP.No.5232 of 2022



ALLOWING THE CRIMINAL PETITION
WITHOUT COSTS

⑦ VLV
17/8/22.