

This Criminal Petition Is Filed By The vs Unknown on 9 March, 2022

Author: D.Ramesh

Bench: D.Ramesh

THE HONOURABLE SRI JUSTICE D.RAMESH

CRIMINAL PETITION No.5165 of 2019

O R D E R:

This Criminal Petition is filed by the petitioner/accused under Section 482 of the Code of Criminal Procedure, 1973 seeking to quash the proceedings in FIR No.396 of 2018 on the file of the Rajahmundry I Town Police station, Rajamahendravaram Urban. The offences alleged are under Sections 270, 273 r/w 34 IPC and under sections 5(1), 22 of Cigarettes and Other Tobacco Products Act, 2013 [for short COPTA Act].

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondent-State.

3. Learned counsel for the petitioner submits that in similar cases, this Court by virtue of common order in Criminal Petition Nos.3731 of 2018 and batch, quashed the proceedings against the petitioners therein, by considering that transportation of Gutkha Pan Masala is not attracted by the offences alleged under Sections 188, 270 and 273 of IPC and Food Safety and Standard Act. A perusal of the order shows that this Court, by considering that transportation of Gutka, Pan masala does not attract the offences alleged, quashed the proceedings.

4. Hence, following the above said judgment and in terms thereof, the criminal petition is allowed and the proceedings against the petitioner in FIR No.396 of 2018 on the file of the Rajahmundry I Town Police station, Rajamahendravaram Urban are hereby quashed. As a sequel, the miscellaneous applications pending, if any, shall stand closed.

JUSTICE D.RAMESH Date: 09.03.2022 Pnr