

Shaik Hafeez, vs The State Of Andhra Pradesh on 30 September, 2022

Author: Ninala Jayasurya

Bench: Ninala Jayasurya

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

HON'BLE SRI JUSTICE NINALA JAYASURYA

CRIMINAL PETITION No.7935 OF 2022

Between:-

Shaik Hafeez

... Petitioner/
Accused No.1

and

The State of Andhra Pradesh represented by
Represented by its Public Prosecutor

... Respondent

Counsel for the petitioner : Mr.Md.Saleem

Counsel for the respondent : The Public Prosecutor

ORDER:

The present Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 seeking to quash the proceedings against the petitioner/Accused No.1 in C.C. No.105 of 2019 on the file of the Court of the Additional Judicial Magistrate of First Class, Kovur, SPSR Nellore District, for the offences punishable under Sections 353, 188, 272, 273 read with 34 of the Indian Penal Code, 1860, Sections 59(i), 55 of Food Safety and Standards Act, 2006.

2. Heard the learned counsel for the petitioner and learned Assistant Public Prosecutor representing the respondents.

3. The learned counsel for the petitioner while placing reliance on the decision of this Court in Criminal Petition No.5421 of 2019 and batch, dated 18.12.2019, submits that the matter is squarely covered by the said decision and the present Criminal Petition deserves to be allowed by quashing the proceedings against the petitioner.

4. The learned Assistant Public Prosecutor fairly submits that the matter is covered by the common order passed in Criminal Petition No.5421 of 2019 and batch, dated 18.12.2019.

5. This Court has considered the submissions made by the learned counsel for both sides. A reading

of the copy of the F.I.R., filed along with the material papers would clearly show that the Police have suo motu registered the Crime against the petitioner in this case.

6. Since the present case is squarely covered by the decision in Criminal Petition No.5421 of 2019 and batch dated 18.12.2019, for the reasons alike, the Criminal Petition is allowed, quashing the proceedings against petitioner/Accused No.1 in C.C. No.105 of 2019 on the file of the Court of the Additional Judicial Magistrate of First Class, Kovur, SPSR Nellore District. Miscellaneous applications, pending if any, shall stand closed.

_____ NINALA JAYASURYA, J September 30, 2022.

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