

Golla Srinivasa Rao vs The State Of Andhra Pradesh on 30 August, 2022

Author: Ninala Jayasurya

Bench: Ninala Jayasurya

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

HON'BLE SRI JUSTICE NINALA JAYASURYA

CRIMINAL PETITION No.6776 OF 2022

Between:-

Golla Srinivasa Rao
and another

... Petitioners/
Accused 1 and 2

and

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

... Respondent

Counsel for the petitioners : Mr.D.Kasi Rao

Counsel for the respondent : The Public Prosecutor

ORDER:

Heard the learned counsel for the petitioners and the learned Assistant Public Prosecutor representing the respondent.

2. The present Criminal Petition has been filed seeking to quash the proceedings against the petitioners in Crime No.222 of 2022 on the file of Repalle Police Station, Bapatla District, registered for the offences punishable under Sections 273, 420 of the Indian Penal Code, 1860, Sections 56, 57(1), 63 of the Food Safety and Standards Act, 2006, and consequently direct the concerned Station House Officer to return the property seized in connection with the Crime.

3. The learned counsel for the petitioners while placing reliance on the decision of this Court in Criminal Petition No.3731 of 2018 and batch, dated 27.8.2018, 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 petitioners.

4. The learned Assistant Public Prosecutor fairly submits that the matter is covered by the common order passed in Criminal Petition No.3731 of 2018 and batch, dated 27.8.2018.

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 petitioners in this case.

6. Since the present case is squarely covered by the decision in Criminal Petition No.3731 of 2018 and batch dated 27.8.2018, for the reasons alike, the Criminal Petition is allowed, quashing the proceedings against the petitioners in Crime No.222 of 2022 on the file of Repalle Police Station, Bapatla District. As the offences registered against the petitioners are quashed, the tobacco products only seized in connection with the Crime shall be returned to the petitioners on proper identification and under acknowledgement. Miscellaneous applications, pending if any, shall stand closed.

_____ NINALA JAYASURYA, J August 30, 2022.

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