

# Yaseen Khan vs The State Of Telangana on 23 November, 2022

Crl.Petition No.10413 of 2022

1

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.10413 OF 2022  
ALONG WITH I.A.No.2 of 2022

## COMMON ORDER:

This Criminal Petition under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.'), is filed by the petitioners to quash the proceedings in C.C.No.581 of 2020, pending on the file of Additional Judicial First Class Magistrate at Nirmal.

2. The petitioners herein are accused Nos.1 and 2 in the said crime. The offences alleged against them are under Sections 420, 270, 273 of IPC read with Section 34 of Indian Penal Code (for short "IPC), Sections 57 and 58 of Food Safety and Standards Act (or short "FSS Act") and Section 20(1)(2), 22 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 learned counsel for the petitioners and learned Additional Public Prosecutor for the respondents. Perused the record.

Crl.Petition No.10413 of 2022

4. Perusal of the record would reveal that the lis involved in this case had already been dealt with by this Court extensively vide common order dated 05.07.2021 in Crl.P. No.152 of 2020 and batch which was reported in Mohd. Jameel Ahmed v. State of Telangana<sup>1</sup> and also vide common order dated 10.06.2022 in Crl.P.No.5619 of 2020 and batch.

5. Therefore, this Criminal Petitions is allowed quashing the proceedings in C.C.No.581 of 2020, pending on the file of Additional Judicial First Class Magistrate at Nirmal, in terms of the common order, dated 05.07.2021 passed by this Court in Mohd. Jameel Ahmed (Supra) and also common order dated 10.06.2022 in Crl.P.No.5619 of 2020 and batch.

6. As the proceedings in the aforesaid are quashed against the petitioners, the Station House Officer/Investigating Officer is hereby directed to return the seized property/vehicle on proper identification and verification of ownership under due acknowledgment. In case charge sheet is already filed the petitioners are at liberty to file appropriate application before the concerned Magistrate for return of the seized property/vehicle and 2022 CriLJ 642.

Crl.Petition No.10413 of 2022 the Magistrate shall consider the same in accordance with law. However, it is made clear that if the seized stock of tobacco products or other products are expired, the same shall be destroyed by taking permission from the concerned Magistrate.

7. The copy of the common orders passed by this Court in Crl.Petition No.152 of 2020 and batch on 05.07.2021 and also in Crl.Petition No.5619 of 2020 on 10.06.2022, shall form part of this order.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition stand closed.

\_\_\_\_\_ K.SURENDER, J Date: 23.11.2022 ns