

Golla Tirupalu vs The State Of Andhra Pradesh on 20 June, 2022

Author: Cheekati Manavendranath Roy

Bench: Cheekati Manavendranath Roy

THE HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

Criminal Petition Nos.1405 and 1406 of 2020

COMMON ORDER:

These two Criminal Petitions are filed under Section 482 Cr.P.C. seeking quash of F.I.Rs. in Crime No.472 of 2018 of Arundalpet Police Station, Guntur Urban, registered for the offences punishable under Sections 270 and 273 of IPC and Section 24(1) of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003, (for short, the "COTPA"); and in Crime No.25 of 2020 of Lalapet Police Station, Guntur Urban, registered for the offences punishable under Sections 328, 270, 272, 273, 284 of IPC and Section 57(1) and 58 of the Food Safety and Standards Act, 2006, (for short, the "FSS Act"), respectively. Therefore, both these Criminal Petitions are being heard and disposed of by this common order.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent State.

3. Learned counsel for the petitioners would submit that these are covered matters in view of the earlier common order passed by this Court in Crl.P.No.3731 of 2018 and batch, dated 27.08.2018, Crl.P.No.5421 of 2019 and batch, dated 18.12.2019 and Crl.P.No.2966 of 2021 and batch, dated 28.12.2021, whereby this Court has quashed several F.I.Rs. registered for the similar offences based on identical facts. Therefore, the CMR, J.

Crl.P.Nos.1405 and 1406 of 2020 petitioners, who are similarly placed, are also entitled for quash of the F.I.Rs. registered against them.

4. Learned Additional Public Prosecutor would fairly concede that these are covered matters in view of the earlier orders passed by this Court and thereby prayed to pass appropriate orders in these Criminal Petitions.

5. Therefore, in view of the earlier orders passed by this Court and for the reasons stated therein, both these Criminal Petitions are allowed and the aforesaid F.I.Rs. registered against the petitioners are hereby quashed.

Miscellaneous Petitions, if any pending in this Criminal Petition, shall stand closed.

MANAVENDRANATH ROY Date:20-06-2022.

CS