

Shaik Althaf vs The State Of Telangana, on 3 February, 2023

Crl.Petition No.1118 of 2023

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THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.1118 OF 2023
ALONG WITH I.A.No.2 of 2023

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 against them in C.C.No.157 of 2021, pending on the file of Judicial First Class Magistrate at Utnoor, Adilabad District.

2. The petitioners herein are the accused Nos.1 to 3 in the said crime. The offences alleged against them are under Sections 188, 420, 270 and 273 of Indian Penal Code (for short "IPC) and Section 58 of Food Safety and Standard Act.

3. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent. Perused the record.

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 Telangana¹ and also vide common order dated 10.06.2022 in Crl.P.No.5619 of 2020 and batch.

5. Therefore, this Criminal Petition is allowed quashing the proceedings in C.C.No.157 of 2021, pending on the file of Judicial First Class Magistrate at Utnoor, Adilabad District, 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. Since 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 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 Criminal Petition No.152 of 2020 and batch on 05.07.2021 and also 2022 CriLJ 642.

in Criminal Petition No.5619 of 2020 and batch 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: 03.02.2023 rev