

Mohan Lal Vs. the Sub-inspector of Police, Traffic, Compounding Booth

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Court : Andhra Pradesh

Decided On : Jun-18-1993

Reported in : 1993(2)ALT581

Judge : Immaneni Panduranga Rao, J.

Acts : City Police Act - Sections 43 and 44; [Constitution of India](#) - Article 226

Appeal No. : Writ Petition No. 7936 of 1993

Appellant : Mohan Lal

Respondent : The Sub-inspector of Police, Traffic, Compounding Booth

Advocate for Def. : Govt. Pleader for Home

Advocate for Pet/Ap. : Wasim Ahmed Khan, Adv.

Judgement :

ORDER

Immaneni Panduranga Rao, J.

1. Heard the learned counsel for the petitioners.
2. The learned Government Pleader sought time for taking instructions and filing counter. But, the learned counsel for the petitioner has opposed the adjournment on the ground that out of the 6 buffaloes taken into custody by the respondent, one

buffalo had already died and there is a risk of other buffaloes dying if any adjournment is given.

3. It is submitted by the learned counsel for the petitioner that the buffaloes of the petitioner were taken into custody on the ground that the petitioner has committed the offence under the Sections 43 and 44 of City Police Act. These offences being compoundable, the petitioner has compounded the offences and an amount of Rs. 750/- was imposed and collected by the respondent by way of compounding fee. When once compounding fee is imposed and collected, I agree with the submission of the learned counsel for the petitioner that there is no justification for continuing to keep the 5 buffaloes in custody.

4. The respondent is, therefore, directed to release the petitioner's buffaloes which are 5 in number in the light of compounding of the offences alleged against the petitioner and the payment of the compounding fees on 11-6-93.

5. With the above directions, the writ petition is disposed of at the stage of admission.