

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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CRIMINAL PETITION No.5944 OF 2015

ORDER:

This Criminal Petition is filed by the petitioner/accused under Section 482 Cr.P.C seeking to quash the proceedings in P.R.C.No.11 of 2015 on the file of Judicial Magistrate of First Class (Special Mobile) at Khammam, wherein cognizance was taken for the offence punishable under Sections 498-A and 307 I.P.C and the alleged P.R.C. is committed to the Court of Sessions under Section 209 Cr.P.C.

Heard the learned counsel for the petitioner and the learned Public Prosecutor (Andhra Pradesh) for the State before notice to respondent No.1/*de facto* complainant and before admission.

Perused the material on record. There is no Part-II Case Diary to impugn the said cognizance for committing the case to the Court of Sessions by the learned Magistrate to say no material.

Having regard to the above and the committal proceedings are almost a post office duty as laid down by the Apex Court in **Raj Kishore Parshad v. State of Bihar**^[1] but for compliance to the requirement of clauses (a) to (d) under Section 209 Cr.P.C. after committal and after taking of cognizance by the learned Magistrate under Section 193 Cr.P.C., from supply of copies. Remedy is left open to the petitioner to file application under Section 227 Cr.P.C during the course of hearing under Sections 226 to 228 Cr.P.C. Needless to say if at all aggrieved from any order thereafter remedy is left open to the petitioner.

Accordingly, this Criminal Petition is disposed of.

Miscellaneous petitions pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 08-07-2015
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[\[1\]](#) **AIR 1996 SC 1931**