

THE HON'BLE SRI JUSTICE M.S.K. JAISWAL

Criminal Petition No. 5736 of 2015

Order:

This Criminal Petition is filed, under Section 482 of the Code of Criminal Procedure, 1973, by the petitioners/A6 and A7, seeking to quash the proceedings in C.C.No.551 of 2012 on the file of the learned Judicial Magistrate of First Class, Kodad.

Heard the learned counsel appearing for the petitioners/A6 and A7 and the learned Additional Public Prosecutor, representing the State.

A perusal of the record would show that there is material, *prima facie*, sufficient to enquire into the allegations made in the charge sheet against the petitioners/A6 and A7 for the offences punishable under Section 498-A IPC and under Sections 3 and 4 of the Dowry Prohibition Act. The truth or otherwise of the allegations made against the petitioners/A6 and A7 can only be decided during the course of trial and this Court is not supposed to make a roving enquiry into the allegations made against them in the charge sheet. There are absolutely no grounds to quash the proceedings and the Criminal Petition is liable to be dismissed.

At this stage, learned counsel for the petitioners/A6 and A7 submits that the petitioners/A6 and A7 are residents of Vijayawada and it will be difficult for them to attend for each and every adjournment in the above case and prays that the presence of the petitioners/A6 and A7 may be dispensed with.

The Criminal Petition is, accordingly, dismissed. The Court below shall not insist for the presence of petitioners/A6 and A7 for each and every adjournment, unless it feels that their physical presence is necessary for any specific purpose.

As a sequel thereto, the miscellaneous applications, if any, pending in the Criminal Petition shall stand closed.

Date: 30.06.2015
Nsr

M.S.K.JAISWAL,J