

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

CRL.P.No.9239 of 2015

ORDER:

This Criminal Petition is filed by the Petitioner-A3 to quash the proceedings initiated against him in C.C.No.358 of 2011 on the file of the Judicial Magistrate of First Class, Tadepalligudem, registered for the offences punishable under Sections 420, 426, 342, 386, 506 (2), 120-B read with Section 149 I.P.C.

A private complaint was filed by the 1st respondent herein against the petitioner-A3 and two others for the aforesaid offences before the Judicial Magistrate of First Class, Tadepalligudem, and it was referred to the police under Section 156 (3) Cr.P.C. for investigation and report. Thereafter, the Sub Inspector of Police, Pentapadu Police Station registered the complaint as a case in Crime No.4 of 2006 against the accused for the aforesaid offences and took up investigation. Eventually, after completion of investigation, a charge sheet was laid under the aforesaid offences against the accused in the trial Court and the same was numbered as C.C.No.358 of 2011.

Heard the learned Counsel appearing for the petitioner and the learned Public Prosecutor, representing the State.

The allegations in the complaint as well as statements of witnesses clearly reveal a *prima facie* case against the petitioner-A3 and others for the aforesaid offences. The truth or otherwise of the allegations cannot be gone into in this petition and it can only be decided during the course of trial. Therefore, I see no reason to interfere with the matter at this stage by quashing the proceedings against the petitioner. Instead it is better to allow the trial in the case to be expedited.

For the aforesaid reasons, the Criminal Petition is dismissed.

However, the trial Court is directed to proceed with the trial of the case expeditiously without insisting the presence of the petitioner-A3 on each and every date of hearing unless it feels that his presence is necessary for any specific purpose.

Miscellaneous petitions, if any, pending shall stand closed.

M.S.K.JAISWAL, J

08-10-2015

Gsn