

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

CRL.P.No.9487 of 2015

ORDER:

The petitioners, who are A-2, A-4 and A-5, seek to quash the proceedings initiated against them in C.C.No.960 of 2012 on the file of the II-Additional Chief Metropolitan Magistrate, Vijayawada, Krishna District, registered for the offences punishable under Sections 498-A and 324 I.P.C.

On a complaint filed by the 2nd respondent herein, a case in Crime No.436 of 2010 was registered against the petitioners and two others under Sections 498-A, 354, 324 read with Section 34 I.P.C. by the Police, Ibrahimpatnam Police Station, Vijayawada, and took up investigation. Eventually, after completion of investigation, the Sub Inspector of Police, Ibrahimpatnam Police Station, Vijayawada, filed charge sheet against the husband of the 2nd respondent only, deleting the names of the petitioners herein, for the offences punishable under Sections 498-A and 324 I.P.C. Aggrieved by the same, the 2nd respondent filed a protest petition.

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

A perusal of the allegations in the complaint as well as statements of witnesses would clearly reveal a *prima facie* case against the petitioners herein also 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 petitioners. 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 aforesaid Calendar Case expeditiously without insisting the presence of the petitioners-A2, A4 and A5 on every date of hearing unless it feels that their presence is required for any specific purpose.

Miscellaneous petitions, if any, pending shall stand closed.

M.S.K.JAISWAL, J

09-10-2015

Gsn