

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

CRIMINAL PETITION No.8389 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. to quash the proceedings in D.V.C.No.14 of 2016 on the file of Special Judicial Magistrate of First Class-cum-Special Mobile Court, Eluru, West Godavari District.

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor representing the State.

Having perused the material on record, it is evident that there are certain allegations against the petitioner/respondent No.7. The truth or otherwise of the allegations can only be decided during the course of trial. Therefore, this Court is not inclined to quash the impugned proceedings.

In that view of the matter, the Criminal Petition is disposed of with a direction to the Special Judicial Magistrate of First Class-cum-Special Mobile Court, Eluru, to proceed with the enquiry in DVC, however, without insisting the presence of the petitioner/respondent No.7 in DVC on each and every adjournment, unless the Magistrate feels that their presence is necessary for any specific purpose.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 17.06.2016

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