

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

CRIMINAL PETITION No.13522 of 2014

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ORDER:

This petition under Section 482 Cr.P.C. is filed by the petitioners/A.2 to A.6 seeking to quash the proceedings in C.C.No.473 of 2013 on the file of I Additional Judicial Magistrate of First Class, Nizamabad District, registered for the offence punishable under Section 498-A IPC and Section 4 of the Dowry Prohibition Act.

2. Heard learned counsel for the petitioners/A.2 to A.6 and learned Additional Public Prosecutor representing the State.

3. It appears from the complaint that the 2nd respondent/ *de facto* complainant made a specific complaint against the petitioners under Section 498-A IPC and Section 4 of the Dowry Prohibition Act. It further appears that on the basis of the said complaint, police registered a case, which culminated into filing of a charge sheet. The truth or otherwise of the allegations can only be decided during the course of trial. This Court is not supposed to make a roving enquiry into the allegations made in the charge sheet. I absolutely see no valid ground to quash the charge sheet.

4. From a perusal of the record, it cannot be said that there is no material to proceed against the petitioners/A. 2 to A.6.

5. In that view of the matter, the Criminal Petition is disposed of directing the learned Magistrate to proceed with the trial in C.C.No.473 of 2013 on the file of I Additional Judicial Magistrate of First Class, Nizamabad District, without insisting for the presence of petitioners/A.2 to A.6 on each and every adjournment, unless it feels that their presence is necessary for any specific purpose. However, A.1 shall appear before the trial Court during trial. Further more, the learned

Magistrate is also directed to dispose of C.C. No.473 of 2013 on the file of I Additional Judicial Magistrate of First Class, Nizamabad District, within a period of six (06) months from today.

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

M.S.K.JAISWAL,J

Date: 11.07.2016
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