

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

CRIMINAL PETITION No.11429 of 2015

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in C.C.No.88 of 2015 on the file of the Additional Judicial Magistrate of First Class, Rayachoty, registered for the offences punishable under Sections 138 & 142 of Negotiable Instruments Act and under Section 420 IPC.

Heard the learned counsel appearing for the petitioners/A1 & A2 and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made in the complaint against the petitioners. The truth or otherwise of the allegations can only be decided during course of trial. This Court is not supposed to make a roving enquiry into the allegations made in the charge sheet. I see no ground to quash the complaint.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioners, the Criminal Petition is disposed of, directing the Court below to proceed with the trial, however, without insisting for the presence of the 2nd petitioner/A2 for each and every adjournment, unless it feels that his physical presence is necessary for any specific purpose. It is made clear that the 1st petitioner/A1 shall continue to appear before the Court below throughout the trial.

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

M.S.K.JAISWAL,J

Date: 26.08.2016

Dsr