

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

CRIMINAL PETITION No.9552 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in P.R.C.No.2 of 2015 on the file of the Special Judicial Magistrate of First Class, Prohibition & Excise Cases, Anantapur, registered for the offences punishable under Sections 147, 148, 448, 109, 324, 307, 332, 380, 436 and 452 r/w.149 IPC and under Section 7(1) of Criminal Law Amendment Act of 1932.

Heard the learned counsel appearing for the petitioner/A31 and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made in the complaint against the petitioner. 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 charge sheet.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioner, the Criminal Petition is disposed of, directing the Court below to proceed with the process of committal of the above PRC, however, without insisting for the presence of the petitioner/A31 for each and every adjournment, unless it feels that his physical presence is necessary for any specific purpose. It is made clear that the petitioner/A31 shall appear before the concerned Sessions Court as and when he receives any summons after committal of the above PRC.

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

M.S.K.JAISWAL,J

Date: 27.07.2016

Dsr