

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 11407 of 2016.

ORDER:

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This criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in C.C.No.47 of 2012 on the file of the learned Additional Judicial First Class Magistrate, Kovvur, Nellore District, registered for the offences punishable under Sections 34(a) and 50 of the AP Excise Act and Section 8(b)(ii) of AP Prohibition Act

Heard the learned counsel appearing for the petitioner/A4 and the learned Additional Public Prosecutor, representing the State.

Having heard the learned Counsel on either side and gone through the material available on record, it is obvious that 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 proceedings in the aforesaid Calendar Case.

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 trial and dispose of the aforesaid CC as expeditiously as possible, preferably within a period of six months from today, however, without insisting for the presence of the petitioner/A4 for each and every adjournment, unless it feels that his physical presence is necessary for any specific purpose. The Counsel

on record shall represent the petitioner before the Court below on each and every date of hearing the case.

Miscellaneous petitions pending consideration if any in the Criminal Petition shall stand closed in consequence. No order as to costs.

JUSTICE M.S.K. JAISWAL

DATED 4th AUGUST, 2016.
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