

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 8485 of 2014

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in C.C.No. 418 of 2012 pending adjudication on the file of learned Judicial First Class Magistrate, Anaparthi, East Godavari District, registered for the offences punishable under Sections 193,196,209, 211 read with Section 34 IPC

Heard the learned counsel appearing for the petitioner/Accused 1, 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 filed under Section 190 Cr.P.C. against the petitioner/Accused No.1. 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 complaint. I see no ground to quash the proceedings in the aforesaid Calendar Case at this stage.

However, considering the facts and circumstances of the case and elaborate arguments advanced by the learned Counsel on either side, I feel that interests of justice would be best served if the Criminal Petition is disposed of directing the Court below to dispose of C.C.No.418 of 2012 as expeditiously as possible, preferably within a period of three months from the date of receipt

of a copy of this order. Accordingly there shall be an order. Both the Defacto complainant/2nd respondent and Accused No.1/ Petitioner are at liberty to raise all contentions/objections including entitlement of maintenance by the petitioner herein.

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 6th September, 2016.
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