

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 7583 of 2016

DATED 3RD AUGUST, 2016

BETWEEN

Mr. Nihad Salim Haji and anr

...Petitioners

And

Mrs. Afsna Banna and anr

...Respondents

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 7583 of 2016

ORDER:

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The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in D.V.C.No. 53 of 2016 on the file of the learned IV Metropolitan Magistrate, Erramanzil, Hyderabad

Heard the learned counsel appearing for the petitioners/A1 & A2 and the learned Additional Public Prosecutor, representing the State. There is no representation for the first respondent.

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 proceedings in the

aforesaid DVC case.

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 petitioners/A1 & A2 for each and every adjournment, unless it feels that their physical presence is necessary for any specific purpose. However, it is made clear that the learned Counsel on record will represent the petitioners/A1 and A2.

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 3RD AUGUST, 2016.
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