

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

CRL.P.NO.7951 OF 2016

ORDER

Based on the complaint filed by the 1st respondent - Gainikadi Srinivas Yadav, against A-1 to A-4, police filed charge sheet against A-1 for the offence punishable under Section 307 IPC and for the offence punishable under Section 109 read with 34 of I.P.C. against A-2 to A-4. The petitioners herein are A-2 to A-4 and they filed the present criminal petition under Section 482 Cr.P.C. to quash the proceedings in P.R.C.No.5 of 2016 on the file of Judicial First Class Magistrate of Banswada.

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the State.

The learned counsel for the petitioner submitted that the charge sheet does not make out any offence against the petitioners and a charge for an offence under Section 109 read with 34 IPC cannot be framed against the petitioners and therefore sought to quash the proceedings.

Charge sheet has already been filed and case is under trial. At this stage, I do not see any ground to quash the proceedings and the merits of the contentions would be considered based on material evidence on record during trial.

The criminal petition is accordingly dismissed. No costs.

Miscellaneous petitions pending if any, shall stand closed.

10—06—2016

DATE: 10—06—2016

AVS

