

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

CRIMINAL PETITION No.7166 of 2016

ORDER

This petition under Section 482 Cr.P.C. is filed by the petitioners/A1 and A2 seeking to quash the proceedings in C.C.No.120 of 2016 on the file of I Additional Junior Civil Judge, Sattenpalli, registered for the offence punishable under Section 353 r/w 34 IPC, against them.

2. It is alleged in the charge sheet that on 24.09.2014 at about 4.10 PM., both the accused came to the office room of the College and obstructed the legitimate duties of the de facto complainant by trying to download the photos from their digital camera in his computer. Based on the complaint, a case in Cr.No.124 of 2014 under Section 353 r/w 34 IPC was registered against A1 and A2.

3. Heard and perused the material on record.

4. As per the allegations in the charge sheet, there is a *prima facie* case to proceed against the petitioners. Therefore, this is not a fit case where the proceedings against them can be quashed. Truth or otherwise of the allegations can only be decided during the course of trial. However, considering the facts and circumstances of the case, the Court below is directed to dispose of the aforesaid CC within a period of three months from the date of receipt of a copy of this order, without insisting the presence of the second petitioner/A2, except the first petitioner/A1, for each and every date of adjournment, unless it feels that his presence is necessary for any specific purpose.

5. With the above direction, the Criminal Petition is disposed of. Miscellaneous applications, if any, pending in this petition shall stand closed.

M.S.K.JAISWAL,J

3rd June, 2016

sj