

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION Nos.670 and 553 OF 2016

COMMON ORDER:

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Since both the Criminal Petitions are arising out of crime, they are heard together and being disposed of by this common order.

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Criminal Petition No.670 of 2016 is filed by A.1 and Criminal Petition No.553 of 2016 is filed by A.2 under Section 482 Cr.P.C. seeking to quash the proceedings in C.C.No.629 of 2010 pending on the file of IV Additional Chief Metropolitan Magistrate at Visakhapatnam for the offence under Sections 419, 420, 468, 120-B IPC.

Heard and perused the material on record.

The learned counsel for the petitioners submits that the petitioners herein have not forged any documents and have not indulged in getting registration of house-site of L.W.1 in the name of A.3 by impersonating L.W.1 with unknown person and that they have neither encroached nor trespassed into the vacant site of L.W.1 as alleged.

All the above grounds now raised by the learned counsel for the petitioners for quashing the impugned proceedings are all disputed questions of facts which can be adjudicated by the trial Court only after full-fledged trial. Hence, this Court is not inclined to interfere with the impugned proceedings. At this stage, the learned counsel for the petitioners confined her argument to the extent of dispensing with the presence of the petitioners before the trial Court.

In the circumstances, the presence of petitioners-A.1 & A.2 before the trial Court is dispensed with except on the dates so specifically the trial Court insists for their appearance. They are directed to be represented by a counsel on all hearing dates before the trial Court.

Both the Criminal Petitions are accordingly disposed of.

Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

31.03.2016

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