

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

CRIMINAL PETITION No.11240 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in C.C.No.18 of 2015 on the file of the Additional Judicial Magistrate of First Class, Narsipatnam, Visakhapatnam District, registered for the offences punishable under Sections 295, 295(A), 298 and 506 r/w.34 IPC.

Heard the learned counsel appearing for the petitioners/A1 to A4 and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made in the charge sheet 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 charge sheet.

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 and dispose of the above case, in accordance with law, as expeditiously as possible.

Since it is represented that as the 1st petitioner/A1 was shown as absconding, the Court below issued non-bailable warrant against him and the same is pending, the 1st petitioner/A1 is directed to surrender before the Court below and file appropriate application to recall the warrant within a period of two weeks from today. In such an event, the Court below shall dispose of the application of the 1st petitioner/A1 on the same day on which it is filed on merits, in accordance with law. It is needless to mention that the petitioners are

at liberty to work out other remedies available under law, including filing of discharge petition.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 02.08.2016

Dsr