

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

CRIMINAL PETITION No.12194 of 2016

ORDER:

This petition under Section 482 Cr.P.C. is filed by the petitioners/A1 to A3 seeking to quash the proceedings in F.I.R.No.185 of 2015 on the file of Women Police Station, Visakhapatnam, registered for the offences punishable under Section 498-A I.P.C. and Sections 3 and 4 of Dowry Prohibition Act.

2. Heard learned counsel for the petitioners/A1 to A3 and learned Additional Public Prosecutor representing the State.

3. It appears from the complaint that the 1st respondent/ *de facto* complainant made certain allegations against the petitioners/A1 to A3. It further appears that on the basis of the said complaint, police registered a case, which culminated into filing of a charge sheet. The truth or otherwise of the allegations can only be decided during the course of trial. This Court is not supposed to make a roving enquiry into the allegations made in the charge sheet. I absolutely see no valid ground to quash the proceedings against the petitioners.

4. From a perusal of the record, it cannot be said that there is no material to proceed against the petitioners/A.1 to A.3.

5. In that view of the matter, the Criminal Petition is disposed of directing the learned Magistrate to proceed with the trial in Crime No.185 of 2015 without insisting for the presence of petitioners/A.2 & A.3 on each and every adjournment, unless it feels that their presence is necessary for any specific purpose. However, petitioner No.1/Accused No.1 shall appear before the trial Court during trial. It is needless to mention that the petitioners are at liberty to raise all their defences which are relevant to them including the question of jurisdiction before the trial Court as and when investigation is

completed and charge sheet is filed.

Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

M.S.K.JAISWAL,J

Date:23.08.2016

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