

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

CRIMINAL PETITION No.13747 of 2016

ORDER:

This petition under Section 482 Cr.P.C. is filed by the petitioner/accused seeking to quash the proceedings in C.C.No.48 of 2015 on the file of III Additional Judicial Magistrate of First Class, Khammam, registered for the offences punishable under Sections 420, 294 (b) and 506 IPC.

2. Heard learned counsel for the petitioner/accused and learned Additional Public Prosecutor representing the State.

3. It appears from the complaint that the 2nd respondent/*de facto* complainant made certain allegations against the petitioner under Sections 420, 294 (b) and 506 IPC. 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 charge sheet.

4. From a perusal of the record, it cannot be said that there is no material to proceed against the petitioner/Accused.

5. In that view of the matter, the Criminal Petition is disposed of directing the learned Magistrate to proceed with the trial in C.C.No.48 of 2015. However, the petitioner/accused shall appear before the trial Court during trial. Further more, the learned Magistrate is directed to dispose of C.C. No.48 of 2015 on the file of

III Additional Judicial Magistrate of First Class, Khammam, within a period of six (06) months from today, without seeking further extension of time. Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 29.09.2016

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