

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

CRIMINAL PETITION No.11561 of 2016

ORDER :

This Criminal Petition is filed under Section 482 of Cr.P.C. by the petitioners/accused Nos.1 to 3 seeking to quash the C.C.No.74 of 2016 on the file of Judicial First Class Magistrate, Bantumilli, for the offences under Sections 447, 354, 323, 506 r/w.34 of IPC.

Heard the learned counsel for the petitioners and the learned Public Prosecutor and perused the material available on record.

On a perusal of the charge sheet, this Court is of the view that truth or otherwise of the allegations made against the petitioners can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioners.

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, however, without insisting for the presence of the petitioners 2 and 3/A2 and A3 for each and every adjournment, unless it feels that their physical presence is necessary for any specific purpose.

However, considering the nature of allegations against petitioner No.1/A1, the Criminal Petition is dismissed as far as petitioner No.1/A1 is concerned. The petitioner No.1/A1 shall

appear before the trial court during the course of trial.

Accordingly, the Criminal Petition is disposed of. Consequently, the miscellaneous petitions pending in this petition, if any, shall stand closed.

M.S.K.JAISWAL, J

8th August 2016

ajr