

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 12080 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in CC No. 77 of 2015 pending trial on the file of the learned Judicial First Class Magistrate, Bichkunda, Nizamabad District, registered for the offences punishable under Sections 448, 384, 341 read with Section 34 IPC.

Heard the learned counsel appearing for the petitioners/Accused 1 to 5, and the learned Additional Public Prosecutor, representing the State.

Having heard the learned Counsel on either side and gone through the material available on record, it is obvious that specific allegations were made in the complaint against the petitioners/Accused 1 to 5. 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 proceedings in the aforesaid Calendar Case.

Considering 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 to 5 herein /Accused 2 to 5 for each and every adjournment, unless it feels that their physical presence is

necessary for any specific purpose. The Counsel on record shall represent the petitioners 2 to 5 herein/Accused 2 to 5 before the Court below on each and every day of hearing the case. It is made clear that the first petitioner herein/Accused No.1 shall ensure his presence before the Court below on each and every date of hearing the case.

Miscellaneous petitions pending consideration if any in the Criminal Petition shall stand closed in consequence. No order as to costs.

DATED 7<sup>th</sup> September, 2016.  
Msnrx

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JUSTICE M.S.K. JAISWAL

