

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

CRIMINAL PETITION No.12547 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in D.V.C.No.12 of 2016 on the file of the II Additional Judicial First Class Magistrate, Khammam.

Heard the learned counsel appearing for the petitioners/respondents 1 & 2 in DVC and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made in the complaint against the petitioners. The truth or otherwise of the allegations can only be decided during course of enquiry. This Court is not supposed to make a roving enquiry into the allegations made in the complaint. I see no ground to quash the complaint.

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 enquiry in the above DVC, however, without insisting for the presence of the 1st petitioner/1st respondent in DVC for each and every adjournment, unless it feels that his physical presence is necessary for any specific purpose. It is made clear that the 2nd petitioner/2nd respondent in DVC shall continue to appear before the court below throughout the trial.

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

M.S.K.JAISWAL,J

Date: 31.08.2016
Dsr