

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 11406 of 2016.

ORDER:

This criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in DVC No. 6 of 2016 on the file of the learned Additional Judicial First class Magistrate, Bodhan, Nizamabad District.

Heard the learned counsel appearing for the petitioners 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 clear that specific allegations were made in the complaint against the petitioners. 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 charge sheet.

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 except the first petitioner herein, for each and every adjournment, unless it feels that their physical presence is necessary for any specific purpose. The first petitioner herein shall appear before the Court on each and every day of hearing the case.

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

JUSTICE M.S.K. JAISWAL

DATED 4th AUGUST, 2016.

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