

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 13079 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in CC No. 1599 of 2015 on the file of the learned Additional Judicial First Class Magistrate, Ananthapuramu, registered for the offences punishable under Sections 498-A and 506 read with Section 34 IPC and Sections 4 and 6 of the Dowry Prohibition Act.

Heard the learned counsel appearing for the petitioner/Accused No.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 petitioner/Accused No.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.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioner, the Criminal Petition is disposed of, directing the Court below to proceed with the trial, however, without insisting for the presence of the petitioner/Accused No.5 for each and every adjournment, unless it feels that his physical presence is necessary for any specific

purpose. The Counsel on record shall represent the petitioner/Accused No.5 before the Court below on each and every date of hearing the case. It is needless to observe that it is left open for the petitioner to avail remedies available under law including under Section 239 CR.P.C.

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 14th September, 2016.
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