

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.2357 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-1 to A-3 in C.C.No.198 of 2015 pending on the file of XIV Metropolitan Magistrate, Cyberabad at L.B. Nagar, Hyderabad, arising out of a private complaint given by the 2nd respondent for the offences punishable under Section 498 A IPC.

Heard the learned counsel for the petitioner and the learned Public Prosecutor representing the State.

The offences alleged against the petitioners are punishable under Sections 498 A IPC. Admittedly, the crime was registered on a reference of a private complaint being made under Section 156 (3) Cr.P.C. by the concerned Magistrate and after duly investigating into the complaint lodged by the *de facto* complainant, the Police filed charge sheet against the petitioners.

A reading of charge sheet would reveal that specific allegations were made against the petitioners, the truth or otherwise of which can be decided only after due trial. The petitioners may raise all the questions as raised herein before the trial Court, which can be considered by the trial Court, and hence, this Court is of the view that it is not a fit case where the proceedings can be quashed invoking the jurisdiction under Section 482 Cr.P.C.

In any event, considering the nature of allegations wherein the question of identity of the petitioners/accused does not arise,

the presence of the petitioners before the trial Court is dispensed with except on the dates of framing of charges and examination under Section 313 Cr.P.C. However, the petitioners shall be properly represented through their counsel before the trial Court.

Accordingly, the Criminal Petition is dismissed. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 24-02-2016

-
Ksn