

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 13133 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in CC No. 641 of 2015 pending adjudication on the file of learned 1st Additional Metropolitan Magistrate, at Vijayawada, Krishna District, registered for the offences punishable under Section 304 (A) IPC and Sections 134(b) read with Section 187 of MV Act.

Heard the learned counsel appearing for the petitioner/Accused, 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. 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 taking into consideration the statements said to have been made by the deceased while she was alive, the Criminal Petition is disposed of, directing the Court below to proceed with the trial and dispose of the aforesaid CC within a period of six months from the date of receipt of a copy of this order.

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 15th September, 2016.
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