

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.12623 of 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure by the petitioner/respondent No.4 seeking to quash proceedings in D.V.C.No.39 of 2016 on the file of the III Metropolitan Magistrate at Erramanzil, for the offences punishable under Section 23 of Protection of Women from Domestic Violence Act, 2005.

Heard learned counsel for the petitioner/respondent No.4 and learned Public Prosecutor and perused the material available on record.

A perusal of the material on record reveals that specific allegations were made against the petitioner. The truth or otherwise of the allegations can only be decided during the course of trial. I see no ground to interdict at this stage and quash the proceedings.

Previously, in Criminal Petition No.8814 of 2016, the presence of the respondents 2 and 3 in D.V.C.No.39 of 2016 was dispensed with by this Court on 23.06.2016. In view of the same, as requested by learned counsel for the petitioner, this criminal petition is disposed of, directing the trial court to dispose of D.V.C.No.39 of 2016 as expeditiously as possible, without insisting the presence of the petitioner/respondent No.4 unless required for any specific purpose.

Consequently, the miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE M.S.K.JAISWAL

06.09.2016
kvrn

