

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.12183 OF 2016

-

ORDER:

This Criminal Petition under Section 482 Cr.P.C. is filed by the petitioners/A1 and A2 seeking to quash the proceedings in C.C.No.485 of 2012 on the file of II Additional Chief Metropolitan Magistrate at Nampally, Hyderabad, registered for the offences punishable under Sections 447, 427, 506 and 509 IPC.

2. Heard learned counsel for the petitioners/A1 and A2 and learned Additional Public Prosecutor representing the State.

3. It appears from the complaint that the 2nd respondent/ *de facto* complainant made certain allegations against the petitioners/A1 and A2. It further appears that on the basis of the said complaint, police registered a case, which culminated into filing of a charge sheet. The truth or otherwise of the allegations can only be decided during the course of trial. This Court is not supposed to make a roving enquiry into the allegations made in the charge sheet. I absolutely see no valid ground to quash the proceedings against the petitioners.

4. From a perusal of the record, it cannot be said that there is no material to proceed against the petitioners/A1 and A2.

5. In that view of the matter, the Criminal Petition is disposed of directing the learned Magistrate to proceed with the trial in C.C.No.485 of 2012 without insisting for the presence of petitioner/A1 on each and every adjournment, unless it feels that her presence is necessary for any specific purpose. However, petitioner No.2/A2 shall appear before the trial Court during trial. Further, the learned Magistrate is directed to dispose of C.C.No.485 of 2012 within a period of one month from the date of receipt of a copy of this order. It

is made clear that there should not be any request by the learned Magistrate for extension of time for disposal of C.C.No.485 of 2012.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL, J

Date:23.08.2016

KH