

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 13692 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in CC No. 634 of 2013 pending adjudication on the file of learned II Additional Chief Metropolitan Magistrate, Vijayawada City, Krishna District, registered for the offences punishable under Section 498-A IPC.

Heard learned counsel appearing for the petitioner/Accused 2, and 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 palpable that specific allegations were made in the complaint against the petitioner/Accused 2. 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 see no ground to quash the proceedings in the aforesaid Calendar Case at this stage.

However, considering the facts and circumstances of the case and as requested by learned counsel for the petitioner, 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, however, without insisting for the presence of petitioner/Accused 2 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 2 before the Court below on each and every date of hearing the case.

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 27th September, 2016.
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