

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

CRIMINAL PETITION No.7026 of 2016

ORDER:

The criminal petition is filed by the petitioners/A1 & A2 under Section 482 Cr.P.C to quash the proceedings in C.C.No.110 of 2015 on the file of the VI Metropolitan Magistrate at Bheemunipatnam, registered for the offences under Sections 120(b), 419, 420, 468, 471 r/w.34 IPC.

Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor, representing the State.

There are specific allegations made against the petitioner/A1 and his wife stating that the petitioners and the non-petitioners/A3 & A4 conspired together and sold property to the *de facto* complainant by impersonating and creating fake documents and thereby cheated him.

Having perused the complaint, I am satisfied that there is *prima facie* material to proceed against the petitioner/A1 & A2. Therefore, it is not a fit case where the proceedings against them can be quashed. The truth or otherwise of the allegations can only be decided during course of trial.

Learned counsel for the petitioners requested to at least dispense with the appearance of the petitioners throughout the trial.

There cannot be an order to dispense with the appearance of the petitioners throughout the trial.

In view of the above, the Criminal Petition is accordingly dismissed. The Court below is directed to proceed with the trial and dispose of the calendar case, as expeditiously as possible, preferably within a period of 6 (six) months from the date of receipt of a copy of this order, however, without insisting for the presence of the 2nd petitioner/A2 only, being lady, for each and every adjournment, unless

it feels that her physical presence is necessary for any specific purpose.

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

M.S.K.JAISWAL,J

Date: 02.06.2016

Dsr