

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

CRL.P.NO.9934 OF 2016

ORDER

This criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in P.R.C.No.9 of 2016 on the file of I Additional Junior Civil Judge, Gurazala, against the petitioners /accused 7 to 16, for the alleged offences punishable under Sections 147, 148, 302, 307, 324, 326 read with 34 IPC.

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

A perusal of the material on record reveals that specific allegations were made against the petitioners and the case is at PRC stage, to be committed to the court of Sessions. The truth or otherwise of the allegations can only be decided during course of trial. I see no ground to quash the proceedings at this stage.

The learned counsel for the petitioner submitted that NBWs were issued and the same be recalled.

In the facts and circumstances of the case and the submissions of the learned counsel for the petitioners and the learned Additional Public Prosecutor, and having perused the material available on record, the criminal petition is disposed of directing the petitioners to approach the committal court within a period of fifteen days from today for recalling of the warrants and on such petitions being filed, the learned Magistrate shall consider the same on usual terms, on the same date of filing of the petition. Till such time, the warrants shall not be executed against the petitioners by the police.

Miscellaneous petitions pending if any, shall stand closed. No costs.

M.S.K.JAISWAL,J

DATE:12.07.2016

