

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

CRIMINAL PETITION No.12391 of 2016

ORDER:

This criminal petition is filed under Section 482 Cr.P.C., to quash the proceedings in C.C.No.42 of 2011 on the file of the Special Judicial Magistrate of First Class (Excise), Ongole, registered against the petitioners/A-1 to A-5, for the offences punishable under Sections 498-A, 494 and 506 r/w.34 IPC.

Heard the learned counsel appearing for the petitioners/A-1 to A-5 and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made in the complaint against the petitioner. The truth or otherwise of the allegations can only be decided during 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 charge sheet.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioners, the Criminal Petition is disposed of, directing the learned Magistrate to proceed with the trial and dispose of C.C.No.42 of 2011 within a period of three (3) months from the date of receipt of a copy of this order without seeking extension of time for disposal of the case under any circumstances, however, without insisting for the presence of petitioner Nos.2 to 5/A-2 to A-5 for each and every adjournment

unless it feels that their physical presence is necessary for any specific purpose. Petitioner No.1/A-1 shall appear before the trial Court.

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

M.S.K. JAISWAL, J

August 27, 2016
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