

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

CRIMINAL PETITION No.12197 of 2016

ORDER:

This petition under Section 482 Cr.P.C. is filed by the petitioners/A1 to A5 seeking to quash the proceedings in C.C.No.34 of 2016 on the file of II Additional Chief Metropolitan Magistrate, Vijayawada, Krishna District, registered for the offences punishable under Sections 448, 427, 323, 506, 509 read with 34 I.P.C.

2. Heard learned counsel for the petitioners/A1 to A5 and learned Additional Public Prosecutor representing the State.

3. It appears from the complaint that the 1st respondent/*de facto* complainant made certain allegations against the petitioners/A1 to A5. 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 charge sheet.

4. From a perusal of the record, it cannot be said that there is no material to proceed against the petitioners/A1 to A5.

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.34 of 2016 without insisting for the presence of petitioner Nos.2 to 5/A2 to A5 on each and every adjournment, unless it feels that their presence is necessary for any specific purpose. However, petitioner No.1/A1 shall appear before the trial Court during trial. Further more, the learned Magistrate is also directed to dispose of C.C. No.34 of 2016 on the file of II Additional Chief Metropolitan Magistrate, Vijayawada, Krishna District, within a period of six (06) months from today.

Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

M.S.K.JAISWAL,J

Date:23.08.2016

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