

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 11899 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in CC No. 183 of 2004 on the file of the learned Judicial First Class Magistrate, Narayankhed registered for the offences punishable under Sections 406,379,409 and 420 IPC.

Heard the learned counsel appearing for the petitioners/Accused 5,16,17,and 18, and the 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 obvious that specific allegations were made in the complaint against the petitioners/Accused 5,16,17 and 18. 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 Court below to proceed with the trial and dispose of the aforesaid Calendar Case within a period of six months from the date of receipt of a copy of this order, however, without insisting for the presence of the petitioners/Accused 5,16,17 and 18 for each and every adjournment, unless it feels that their physical presence is necessary for any specific purpose. The Counsel on record shall represent the petitioners/Accused 5.16,17 and 18 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 12TH AUGUST, 2016.
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