

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

CRIMINAL PETITION No.8781 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in D.V.C.No.4 of 2016 on the file of the I Additional Chief Metropolitan Magistrate, Visakhapatnam, registered for the offence punishable under Section 12 of Protection of Women from Domestic Violence Act, 2005.

Heard the learned counsel appearing for the petitioners/Respondents 2 and 3 in DVC and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made in the complaint against the petitioners. 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, however, without insisting for the presence of the petitioners/Respondents 2 & 3 in DVC for each and every adjournment, unless it feels that their physical presence is necessary for any specific purpose.

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

M.S.K.JAISWAL,J

Date:22.06.2016

Dsr