

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 11770 OF 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in CC No. 70 of 2016 on the file of the learned Judicial Magistrate of First class for Special Mobile, Nellore, registered for the offences punishable under Section 498-A read with Section 34 IPC and Sections 3 and 4 of the Dowry Prohibition Act.

Heard the learned counsel appearing for the petitioner/Accused No.2, 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 petitioner/Accused No.2. 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 proceedings in the aforesaid Calendar Case..

In the facts and circumstances of the case and as requested by the learned counsel for the petitioner, the Criminal Petition is disposed of, directing the Court below to proceed with the trial, however, without insisting for the presence of the petitioner/Accused No. 2 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 petitioner/Accused No.2 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.

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JUSTICE M.S.K. JAISWAL

DATED 11TH AUGUST, 2016.

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