

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

CRIMINAL PETITION No.9826 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in C.C.No.333 of 2012 on the file of the Special Judicial First Class Magistrate (Excise), Eluru, registered for the offence punishable under Section 420 r/w.34 IPC.

Heard the learned counsel appearing for the petitioners/A1 to A3 and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made in the charge sheet 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/A1 & A2 for each and every adjournment, unless it feels that their physical presence is necessary for any specific purpose. It is made clear that the petitioner/A3 shall appear before the Court below throughout the trial.

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

M.S.K.JAISWAL,J

Date: 08.07.2016
Dsr