

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

CRIMINAL PETITION No.7082 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. to quash the proceedings in C.C.No.226 of 2016 on the file of the I Additional Junior Civil Judge, Bhimavaram, West Godavari District.

Heard the learned counsel appearing for the petitioners/accused and the learned Additional Public Prosecutor representing the State.

It appears from the complaint that the 2nd respondent/wife made a specific complaint under Sections 427, 354(A), 506 r/w 34 of IPC against the petitioners/accused. It further appears that on the basis of the said complaint, a specific police case was initiated, 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.

From a perusal of the record it cannot be said that there is no material to proceed against the petitioners/accused. However, it appears that there are civil disputes between the parties for more than a decade.

In that view of the matter, the Criminal Petition is disposed of directing the Court below to proceed with the trial of the case without insisting for the presence of petitioners/A1 and A3 on each

and every adjournment, unless it feels that their presence is necessary for any specific purpose.

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

M.S.K.JAISWAL,J

Date: 02.06.2016
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