

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 13696 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in CC No. 5 of 2016 pending adjudication on the file of learned Judicial First Class Magistrate, Punganur, Chittoor District, registered for the offences punishable under Sections 420 and 506 read with Section 34 IPC.

Heard learned counsel appearing for the petitioner/Accused No.1, and 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 palpable that specific allegations were made in the complaint against the petitioner/Accused No.1. 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 see no ground to quash the proceedings in the aforesaid Calendar Case at this stage.

However, considering the facts and circumstances of the case and as requested by learned counsel for the petitioner, the Criminal Petition is disposed of, directing the Court below to proceed with the trial and dispose of the aforesaid CC as expeditiously as possible, however, without insisting for the presence of petitioner/Accused No.1 for each and every adjournment, unless it feels that her physical presence is

necessary for any specific purpose. The Counsel on record shall represent the petitioner/Accused No.1 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 27th September, 2016.
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