

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

CRIMINAL PETITION No.5996 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in CC.No.428 of 2015 on the file of the VII Metropolitan Magistrate, Cyberabad at Hayathnagar, registered for the offence punishable under sections 379 and 411 IPC.

Heard the learned counsel appearing for the petitioner/A11 and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made in the complaint against the petitioner that he is the habitual purchaser of iron scrap having knowledge that the property is theft property. 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 petitioner, the Criminal Petition is disposed of, directing the Court below to proceed with the trial and dispose of the same, in accordance with law, however, without insisting for the presence of the petitioner/A11 for each and every adjournment, unless it feels that his physical presence is necessary for any specific purpose. It is needless to mention that the petitioner/A11 is at liberty to work out other remedies available under law, including filing of discharge petition.

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

M.S.K.JAISWAL,J

Date:20.06.2016
Dsr