

THE HONOURABLE SRI JUSTICE C.PRAVEEN KUMAR

CRIMINAL PETITION No.8200 OF 2017

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, is filed seeking to quash the proceedings in C.C.No.29 of 2016 on the file of the II Additional Junior Civil Judge, Gurazala, for the offences punishable under Section 498-A of Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.

Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor.

Though various grounds are raised in the Criminal Petition, the learned counsel for the petitioners restricts his prayer seeking dispensation of presence of the petitioners before the trial Court and also submits that the petitioners may be given liberty to file discharge petition before the trial Court.

The same is not seriously disputed by the learned APP.

Having regard to the same and in view of the judgment of the Supreme Court in ***Rajesh Sharma vs. State of U.P. & another***¹ the Criminal Petition is disposed of dispensing with the presence of petitioners 2 to 7 i.e. accused Nos.3 to 8 before the trial Court, except on the dates when their presence is required by the trial Court. Accused Nos.3 to 8 shall not complain of any orders being passed by the trial Court in their absence, as they are duly represented by their counsel. Further, the petitioners are at liberty to file an appropriate application before the trial Court seeking discharge, provided the charges are not yet framed.

¹ 2017 (2) LS 68 (S.C.)

Consequently, miscellaneous petitions pending in this petition, if any, shall stand closed. No order as to costs.

JUSTICE C. PRAVEEN KUMAR

19.09.2017
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