

HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL PETITION No.2948 of 2017

ORDER:

Petitioner herein is arraigned as accused No.6 in P.R.C.No.17 of 2016 on the file of the Judicial Magistrate of I Class, Srikakulam. He requests to quash the aforesaid proceedings, by exercising power under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Code').

He is alleged to have committed offences punishable under Sections 506 and 509 read with Section 34 IPC along with other accused. In fact, the offences punishable under Sections 376, 417 and 420 IPC are alleged against accused No.1 and the offences punishable under Section 4 of the Dowry Prohibition Act are alleged against accused Nos.2 to 4. But, against all the accused, offences punishable under Sections 506 and 509 IPC are alleged.

Learned counsel for the petitioner tendered arguments by drawing attention to the complaint, charge-sheet and the statement of the *de facto* complainant, stating that omnibus allegations have been leveled against the petitioner herein; as such, to quash the proceedings, however, restricting his request to the extent of exempting appearance of the petitioner during trial. The request appears to be reasonable.

Hence, the presence of the petitioner during further proceedings including the Sessions Case, except on the dates when the committal order would be passed by the learned Magistrate, on the date of

examination under Section 229 Cr.P.C., on the date when examination under Section 313 Cr.P.C., takes place and on other occasions whenever the learned Magistrate opines that the presence of the petitioner is necessary.

The criminal petition is accordingly disposed of.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition stand closed.

A. SHANKAR NARAYANA, J

April 11, 2017
MRR

