

THE HON'BLE SRI JUSTICE P. KESHA RAO

Crl.R.C.No.1768 of 2018

ORDER

Heard the learned counsel for the petitioners and the learned Public Prosecutor appearing for the respondents-State.

2. The present criminal revision case is filed questioning the orders passed in Crl.M.P.No.56 of 2015 in S.C.No.179 of 2014 dated 26.02.2018 on the file of the Sessions Judge, Mahila Court, Vijayawada, dismissing the petition filed under Section 227 of Cr.P.C., to discharge the petitioners for the charges levelled against them.

3. The facts, in brief, are that the petitioners/A1 to A3 have been charged for the offences under Sections 498-A, 304-B, 420 IPC and under Sections 3 and 4 of Dowry Prohibition Act, 1961. After investigation, the charge sheet has been laid against the petitioners. The Court below took cognizance of the offences against the petitioners and numbered the same as S.C.No.179 of 2014. Pending the Sessions Case, the petitioners filed Crl.M.P.No.56 of 2015 under Section 227 of Cr.P.C., to discharge them for the offences alleged. The prosecution filed counter opposing the relief sought in the said petition. After hearing, the learned Sessions Judge was pleased to dismiss the petition by order dated 26.02.2018. Aggrieved by the same, the present criminal revision case is filed.

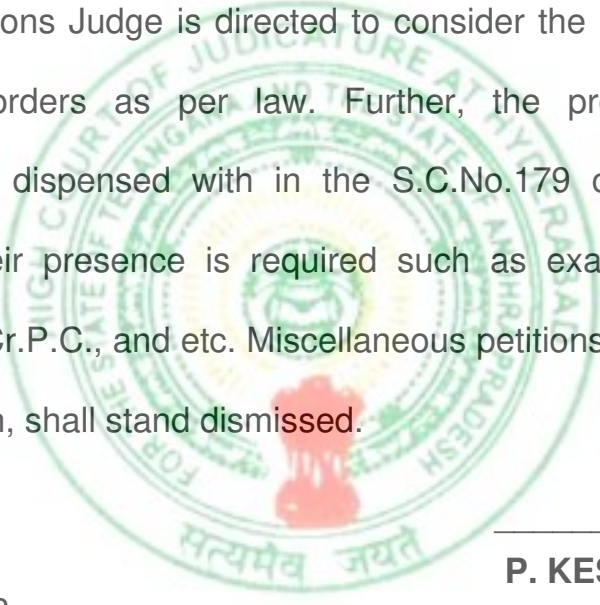
4. Learned counsel appearing for the petitioners, has taken this Court to the various aspects in the order passed by the Court below as well as the charge sheet filed by the prosecution. In fact, the learned counsel emphasized on the delay in filing the complaint as

well as the cause of death shown in the discharge summary. However, on the queries raised by this Court, the counsel for the petitioners seeks permission of this Court to withdraw the criminal revision case with liberty to the petitioners to raise all the objections at the time of framing of the charges by the Court below.

5. Acceding to the request made by the counsel for the petitioners, the Criminal Revision Case is dismissed as withdrawn. However, liberty is given to the petitioners to raise all the objections at the time of framing of charges, and on such objections, the learned Sessions Judge is directed to consider the same and pass appropriate orders as per law. Further, the presence of the petitioners is dispensed with in the S.C.No.179 of 2014 except whenever their presence is required such as examination under Section 313 Cr.P.C., and etc. Miscellaneous petitions, if any pending in this revision, shall stand dismissed.

31st July, 2018

sj



P. KESHA RAO, J