

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**CRIMINAL PETITION No. 3424 OF 2019**

**ORDER:**

The petitioner seeks to quash the proceedings in P.R.C.No. 4 of 2019 on the file of the Judicial Magistrate of I Class Court, Kodad.

Heard learned counsel for the petitioner as well as learned Public Prosecutor.

The contention of the petitioner is that though 23 witnesses were cited, only three witnesses had come into the box and that none of the said witnesses spoke anything against him. It is his further case that the present crime was foisted, without any documentary proof, only to harass him and settle down the disputes.

Learned Public Prosecutor opposes this Petition submitting that the charge-sheet has already been filed and these are all issues to be established during the evidence.

Essentially, the grounds raised in the instant Petition are all relating to the factual aspects. The truth or otherwise of the allegations of the charge sheet are required to be established during the trial, as rightly contended by the learned Public Prosecutor. Hence, this is not a fit case for quashing the proceedings in P.R.C. However, considering the fact that the petitioner is a practising advocate, his presence is dispensed with till commence of trial.

The Criminal Petition is accordingly, dismissed.

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**CHALLA KODANDA RAM, J**

28<sup>th</sup> June 2019

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