

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

CRIMINAL PETITION No.11028 of 2016

ORDER:

This criminal petition is filed by the petitioner/A.6 under Section 482 Cr.P.C. to quash the proceedings in C.C.No.232 of 2015 on the file of the Additional Judicial Magistrate of First Class, Chirala.

Heard learned counsel appearing for the petitioner/A.6 and learned Additional Public Prosecutor representing the State.

It appears from the complaint that the 2nd respondent/*de facto complainant* made a complaint against the petitioner/A.6 and others under Sections 148 and 324 read with 149 IPC and Section 3 of P.D.P.P. Act. It further appears that on the basis of the said complaint, a specific police case was initiated, which culminated into filing of a charge sheet. The truth or otherwise of the allegations can only be decided during the course of trial. This Court is not supposed to make a roving enquiry into the allegations made in the charge sheet. I absolutely see no valid ground to quash the charge sheet.

From a perusal of the record, it cannot be said that there is no material proceed against the petitioner/A.6.

In that view of the matter, the criminal petition is disposed of directing the learned Magistrate to proceed

with the trial in C.C.No.232 of 2015 and dispose of it, without insisting for the presence of petitioner/A.6 on each and every adjournment, unless it feels that his presence is necessary for any specific purpose.

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

M.S.K.JAISWAL, J

29th July 2016

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