

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.12547 of 2013

ORDER :

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This criminal petition is filed by the petitioners/Accused Nos.2 to 4 under Section 482 Cr.P.C to quash the proceedings in C.C. No.2368 of 2013 on the file of XIX Metropolitan Magistrate, Miyapur, Ranga Reddy District, which is the outcome of report of the 2nd respondent / defacto-complainant registered as Crime No.658 of 2012 of Sanathnagar Police Station, Cyberabad for the offence punishable under Section 498-A I.P.C.

2) The petitioners herein are A-2 to A-4, no other than sisters-in-law of A-1. The 2nd respondent is the defacto-complainant is wife of A-1. On report of the 2nd respondent/defacto-complainant, after investigation, the police filed final report citing four accused with 10 witnesses including the investigating officer besides the defacto-complainant/L.W-1 and her father, not an eye witness, L.W-6 in between L.Ws 2 to 5 are the neighbours to the defacto-complainant and A-1. A perusal of the report of the defacto-complainant setting the law in motion dated 12.12.2012 speak that after marriage of A-1 and the defacto-complainant dated 23.04.2010, the three sisters-in-law who are quash petitioners herein were instigating husband of the defacto-complainant i.e., A-1 saying defacto-complainant's horoscope is not good and she is not an amicable woman and with those words, from their instigation, her husband was beating her physically and also ill-treating mentally. There are no any specific dates regarding any specific overt acts, beyond this vaguely referred in the F.I.R. However, coming to the investigation, the investigating officer examined L.Ws 2 to 5 the so called neighbours what it contains, the wife and husband are living happily but for whenever

the sisters-in-law were coming, there was some altercations and on that day i.e., 12.12.2012 morning the sisters-in-law came there to the house of A-1 and the defacto-complainant and they heard some altercations and the defacto-complainant came to their house and the sisters-in-law came to their house and questioned for allowing the defacto-complainant to stay in the house of said neighbour L.W-2. That is the only allegation from the police investigation to rope them.

3) It is not even whisper if at all to say the accused persons 2 to 4, sisters-in-law of the defacto-complainant abused or beat the defacto-complainant in the house of L.W-2 but for simply questioned L.W-2 for allowing the defacto-complainant to stay at their house. Suffice to say these allegations are hardly sufficient to sustain the pale prosecution to survive and it is a fit case to quash the proceedings.

4) In the result, the criminal petition is allowed and the proceedings in C.C. No.2368 of 2013 on the file of XIX Metropolitan Magistrate, Miyapur, Ranga Reddy District are quashed in respect of petitioners/A-2 to A-4 concerned. Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

01.12.2015

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