

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

Criminal Petition No. 6209 of 2015

Order:

This Criminal Petition is filed by the petitioners/A1 to A5, under Section 482 Cr.P.C, seeking to quash the proceedings in C.C. No.289 of 2015 on the file of Additional Judicial First Class Magistrate, Vizianagaram, registered for the offences punishable under Section 498A read with Section 34 IPC and Sections 3 and 4 of the Dowry Prohibition Act in connection with Crime No.31 of 2011 on the file of Women Police Station, Vizianagaram.

2. The second respondent-*de facto* complainant filed a complaint against the petitioners/A1 to A5. Subsequently A.1 has filed Criminal Petition No.9290/2012, A.2 and A.3 have filed Criminal Petition No.3376/2011 and A.4 and A.5 have filed Criminal Petition No.3540/2011. Criminal Petition No.9290/2012 was disposed of by this Court on 24.12.2012 by and under which the entire proceedings in Crime No.31 of 2011 were quashed. The other two petitions viz., Criminal Petition Nos.3376 and 3540 of 2011 were dismissed as infructuous. As a result thereof, all further proceedings in the said crime stands quashed. However, it is stated that by oversight and due to some confusion the charge sheet came to be filed. In view of the above, filing of the charge sheet is not proper and the same is liable to be quashed.

3. In the result, the Criminal Petition is allowed and the proceedings in C.C. No.289 of 2015 on the file of Additional Judicial First Class Magistrate, Vizianagaram, are hereby quashed.

As a sequel thereto, the miscellaneous applications, if any, pending in the Criminal Petition shall stand closed.

M.S.K. JAISWAL, J

Date: 15.07.2015

MVA

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