

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

Case No. Crl.P. No.1978 of 2013

Between:

Myla Shanta Kumari W/o. Deva Raju and another

... Petitioner/Appellant (s)

and

The Station House Officer, III Town Police Station,
And the State of Andhra Pradesh
rep. by Public Prosecutor,
High Court, Hyderabad and another.

... Respondent (s)

DATE OF JUDGMENT PRONOUNCED: 23.07.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE RAJA ELANGO

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|---|---|--------|
| 1 | Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2 | Whether the copies of judgment may be
marked to Law Reports/Journals | Yes/No |
| 3 | Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.1978 OF 2013

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ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., by the petitioners – A2 and A4 seeking to call for records in C.C. No.275 of 2012 on the file of the Judicial Magistrate of First Class, Nandyal, Kurnool District and to quash the same.

The brief facts of the case are that the de facto complainant is the wife of A1. Their marriage was performed on 28.06.2010. A2 is the mother and A4 is the sister of A1. The allegation against the petitioners is that they harassed the de facto complainant along with A1, for demand of additional dowry.

Heard and perused the material available on record.

Learned counsel for the petitioners submitted that A1 is working in Dhone Mandal and living there separately with his wife and the petitioners are living in another place and they are no way concerned with the disputes between A1 and the de facto complainant. He further submitted that in the earlier occasion, this Court quashed the proceedings against A3, who is another sister of A1, in CrI.P. No.1137 of 2013 and the petitioners are also standing on the same footing.

The petitioners are facing trial for the offences under Sections 498-A read with 34 IPC and 3 & 4 of the Dowry Prohibition Act. In the complaint, most of the allegations are made against A1 only, who is the husband of the de facto complainant. In the charge sheet also, it is averred as follows:

“.... After some time, the accused addicted to alcohol and used to harass LW.1 physically and mentally and also with a demand to bring an amount of Rs.1 lakh from her parents as additional dowry. On that her parents (LW.2 & 3) requested A1 about their inefficiency, but A1 cares not them and beat her indiscriminately. The accused A2 to A4 also supported the version of A1 and they together harassed her physically and mentally for want of additional dowry.”

The statement of the de facto complainant also does not disclose any specific overt acts against the petitioners about the manner in which she was subjected to cruelty and also the harassment in connection with demand of dowry.

Considering the facts and circumstances of the case, this Court is inclined to quash the proceedings against the petitioners.

Accordingly, the Criminal Petition is allowed quashing the proceedings against the petitioners – A2 and A4 in CC No.275 of 2012 on the file of the Judicial Magistrate of First Class, Nandyal.

RAJA ELANGO, J

July 23, 2015.
KTL