

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.7494 of 2015

ORDER :

This Criminal Petition is filed by the Petitioner/ accused No.1, under Section 482 Cr.P.C seeking to quash the FIR No.54 of 2015 of Women Police Station, Vikarabad, Ranga Reddy District, outcome of report of 2nd respondent—de facto complainant dated 14.07.2015, registered for the offences punishable under Sections 498-A, 506 IPC and Sections 3 and 4 of Dowry Prohibition Act.

2) Heard learned counsel for the petitioner/ accused No.1 and 1st respondent—State represented by learned Public Prosecutor before admission and before ordering notice to 2nd respondent—de facto complainant. Perused the material on record.

3) It is now contended by the learned counsel for petitioner/ accused No.1 that the present crime is nothing but abuse of process by the 2nd respondent—de facto complainant, who is wife of one Sanjeev Kumar Bukka of the marriage dated 25.11.2007 at Jaguna Village of Bidar District and while subsistence of the 1st marriage, she suppressed the factum and married the petitioner/ accused No.1 on 15.05.2014 at Veerabhadra Swamy temple at Changlair of Bidar District and on coming to know that the petitioner filed O.P. No.925 of 2015 for annulment of marriage, pending on the file of Family Court, Hyderabad, she received notices therein on 01.07.2015 and 10.07.2015 and thereafter conceived an idea of foisting a false case by engineering the facts in giving a report on 14.07.2015 and thereby, it is nothing but abuse of process as the sum and substance of the contention of the learned counsel for the petitioner.

4) A perusal of the facts requires investigation into the same in support of the said version, no doubt he is entitled to be filed along with other accused if any before the Investigation Officer to consider as part of investigation material subject to the above.

5) As the material falls short for this Court to admit the application to quash the FIR proceedings but for to say the entitlement to the concession of regular bail, the Criminal Petition is disposed of, giving liberty to petitioner/ accused No.1 to surrender before the learned Magistrate concerned and move for regular bail with notice to Additional public prosecutor concerned and in such event, the learned Magistrate shall grant bail with necessary conditions on the same day after hearing the APP concerned. Needless to say, at post bail stage, the learned Magistrate shall dispense with the personal appearance of petitioner/ accused NO.1 before the learned Magistrate. Further remedy is left open, in the event of police filing final report and after taking cognizance by the learned Magistrate.

6) Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.25.08.2015
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HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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Date:25.08.2015

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