

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.3768 of 2015

ORDER:

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The petitioner, who is A1 in Crime No.288 of 2015 of K.P.H.B Police Station, Cyberabad, Ranga Reddy District, filed the present application under Section 438 Cr.P.C., seeking release in the event of his arrest in connection with the above crime registered for the offences punishable under Section 493, 494, 495, 498(A), 415, 420, 321, 120-B read with Section 34 of IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961. Originally, a private complaint was filed under Section 200 of Cr.P.C., which was referred to police under Section 156 (3) of Cr.P.C.

The allegations in the private complaint are as under:

The marriage between A1 and the informant took place on 14.02.2014 at Vasavi Kanyaka Parameswari Devasthanam Kalyana Mandapam, Phase-III, KPHB Colony, Kukatpally, Hyderabad. A1 is the husband, A2 is the mother-in-law and A3 is the sister-in-law of the informant. It is alleged that at the time of marriage, the informant was kept in dark and made her believe that she was lawfully married to A1. They concealed the fact that A1 is already married and his marriage with another lady was subsisting. A1 used to harass the informant physically and mentally on petty issues. The incidents referred in V paragraph of the complaint would disclose that A1 failed to show love, affection and proper care towards the informant and avoided her on one pretext or the other. It is further alleged that A1 harassed the informant on the instigation of the other accused demanding additional dowry and on one occasion the father of the informant paid Rs.75,000/- as demanded by the accused. On 13.09.2014, the informant was sent to her house and when questioned A1 about calls and certain vulgar messages in his mobile which were exchanged with another number, she was beaten by A1. It is alleged that the accused did not heed to several requests made by the well wishers of the informant not to pressurize her for additional dowry to purchase flat. After several enquiries, the informant and her parents came to know that A1 was already married and has been continuing his relationship with his first wife by approaching her frequently

without the knowledge of the informant. A1 is alleged to have abused the parents of the informant when they questioned him about his intentions, motives and about returning the gold ornaments and academic certificates of the informant. Basing on these allegations, a private complaint came to be registered against all the accused.

Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the respondent-State and perused the records.

A reading of the averments in the complaint would show that the allegations made against A1 *prima facie* constitute an offence punishable under Section 498 A of IPC. It is to be noted that the allegations made against A1 are specific wherein the informant was put to lot of physical and mental torture for fulfilling the demand of the accused for additional dowry. Hence, I am not inclined to consider the request of the petitioner.

Accordingly, the Criminal Petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

30.04.2015
vhb

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