

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.4167 OF 2015

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ORDER:

This Criminal Petition is filed by petitioners/A1 to A7 under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.49 of 2015 of Jammikunta Police Station, Karimnagar for the offence punishable under Sections 498-A, 506 r/w 34 I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act.

Heard the learned counsel for the petitioners and the learned Public Prosecutor (Telangana) for the State before notice to respondent No.2/*de facto* complainant and before admission.

Perused the material on record. Though it is the contention that as per the averments of para-5 of the complaint the mind of the *de facto* complainant in lodging the complaint more than seven years after the marriage indicating, about the husband allowing his family members (other accused) to stay in the house, the object of the *de facto* complainant behind is to grab the property of her husband standing in his name by seeking transfer property in her name; a perusal of the averments in paras 3 and 4 shows accusation for registering of the crime. Once that is the case, this Court at this stage cannot quash the F.I.R. but for giving disposal with liberty to the petitioners in the event of police filing final report in the form of charge sheet, remedy is left open to them. Further the factual matrix of the case entitles the petitioners to the concession of bail.

Accordingly, this Criminal Petition is disposed of with the observation that the petitioners are given liberty to surrender before the learned Magistrate and move for regular bail, in such an event the learned Magistrate after hearing Assistant Public Prosecutor and the petitioners shall grant bail with necessary conditions, preferably on the same day. Needless to say pending investigation their presence also can be dispensed with.

Miscellaneous petitions pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 10-06-2015

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