

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

FRIDAY, THE NINTH DAY OF OCTOBER
TWO THOUSAND AND FIFTEEN

PRESENT

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

CRIMINAL PETITION No.9468 of 2015

Between:

Pulipaka Shivakumar and 3 others

..... PETITIONERS/A1 to A4

AND

The State of Telangana,

Rep.by its Public Prosecutor,

High Court at Hyderabad and another

.....RESPONDENTS

The Court made the following:

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

CRIMINAL PETITION No.9468 of 2015

ORDER:

This criminal petition is filed under Section 482 Cr.P.C to quash the proceedings in C.C.No.428/2014 on the file of the learned Judicial Magistrate of First Class, Manthanai, Karimnagar District, registered for the offences punishable under section 498-A IPC and under section 4 of Dowry Prohibition Act.

Heard the learned counsel for the petitioners/A1 to A4 and the learned Additional Public Prosecutor, representing the State.

It is alleged that the 1st petitioner/A1 is the husband of the 2nd respondent/*de facto* complainant and at the time of marriage, the parents of the 2nd respondent/*de facto* complainant gave sufficient dowry, gold jewelry and other articles. Even after two months of the marriage, being dissatisfied with the said dowry, the 1st petitioner/A1 and the petitioners 2 to 4 being father-in-law, mother-in-law and sister-in-law of the 2nd respondent/*de facto* complainant subjected her to cruelty to meet their unlawful demands and necked out the *de facto* complainant from the matrimonial home on 07.02.2014.

The allegations levelled in the charge sheet against the petitioners/A1 to A4, *prima facie*, reveal the commission of offences, as alleged. I feel that it is not a fit case where the proceedings can be quashed. The truth or otherwise of the allegations can only be decided during course of trial. This Court is not supposed to make a roving enquiry into the allegations made in the charge sheet. I absolutely see no valid ground to quash the charge sheet.

The Criminal Petition is accordingly dismissed. However, considering the fact that petitioners Nos.2 and 3 are father-in-law and mother-in-law of the *de facto* complainant and the 3rd petitioner is a student, the Court below is directed not to insist for the presence of the petitioners Nos.2 to 4/A2 to A4 for each and every adjournment, unless it feels that their physical presence is necessary for any specific purpose.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 09.10.2015

Dsr