

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.4109 of 2015

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ORDER :

This criminal petition is filed by the petitioners/A.1 to A.3 under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.132 of 2014 of Women Police Station (WRLU), Warangal Urban District, registered for the offence punishable under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

2. Heard the learned counsel for the petitioners as well as the 2nd respondent-State represented by the Public Prosecutor before admission and before ordering any notice to the 1st respondent and perused the material on record.

3. It is submitted by the learned counsel for the petitioners that the police already filed final report in the form of charge sheet and the learned Magistrate has taken cognizance for the offence punishable under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961 and allotted C.C.No.89 of 2015 and challenging the F.I.R. is no longer survives to either remedy of filing an application under Section 239 Cr.P.C. before the trial Court or while hearing the charges under Section 239 read with 240 Cr.P.C. or to file independent application impugning the taking of cognizance of the charge sheet supra.

4. Subject to the above, the criminal petition is disposed of giving liberty to the petitioners to invoke the inherent powers of the High Court under Section 482 Cr.P.C. Needless to say, if the petitioners file any application under Rule 37 of the Cr.P.C., the learned Magistrate shall consider to permit one to represent all the accused persons if no special Vakalath already permitted to the 1st accused.

5. Miscellaneous petitions pending, if any, shall stand dismissed

Dr. B. SIVA SANKARA RAO, J

9th June 2015.

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