

THE HON'BLE SRI JUSTICE RAJA ELANGO

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CRIMINAL REVISION CASE No.2079 OF 2015

ORDER:

The petitioner has preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.) being aggrieved by the order, dated 10.09.2015, passed in CrI.M.P.No.4661 of 2015 in C.C.No.860 of 2015 on the file of the IV Additional Chief Metropolitan Magistrate-cum-Additional Mahila Magistrate, Vijayawada, whereby the learned Judge partly allowed by discharging A.4 to A.7.

The brief facts of the case are as follows. The petitioner herein, Lakshmi Sowjanya, filed a complaint against the respondents herein/A.4 to A.7 and A.1 to A.3 for an offence under Section 498-A IPC and Sections 3, 4 and 6 of the Dowry Prohibition Act. After due investigation, the Investigating Officer filed charge sheet only against the husband of the petitioner by referring the matter insofar as other accused are concerned. The learned Judge after examining three witnesses has taken the cognizance against all the accused persons. The respondents herein/A.4 to A.7 along with A.2 and A.3 filed an application before the Court below seeking discharge and the learned Judge after hearing parties, discharged the respondents herein/A.4 to A.7 and dismissed the application insofar as A.2 and A.3, who are father-in-law and mother-in-law of the *de facto* complainant, are concerned. Aggrieved over the same, the present criminal revision case is filed by the *de facto* complainant.

After hearing the learned counsel and on perusing the order impugned, this Court is of the view that the Court below has rightly discharged. The Court below has properly appreciated the evidence adduced by the witnesses in the protest petition and that none of the witnesses stated anything against A.4 to A.7 and as such, discharged A.4 to A.7. The Order of the Court below is in accordance and needs no interference by this Court.

Learned counsel for the petitioner, at this stage, submits that the police case

is registered on the basis of the complaint given by the *de facto* complainant and that the same is pending before the learned Magistrate, who has also taken cognizance insofar as other accused are concerned by way of a private complaint. Hence, he prays this Court to direct the learned Magistrate to complete the trial together and pass orders on the same day.

Considering the submission of the learned counsel for the petitioner, the Court below is directed to conduct trial in C.C.No.648 of 2015 and C.C.No.860 of 2015 together and pass appropriate orders in accordance with law.

The Criminal Revision Case is accordingly disposed of. Consequently, the miscellaneous petitions filed in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

05.10.2015

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