

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CRIMINAL PETITION No.8431 OF 2015

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ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., seeking to quash the FIR No.190/2015, dated 23.06.2015, registered for the offences punishable under Sections 498-A, 406, 506 read with 34 IPC and Sections 4 & 6 of Dowry Prohibition Act.

The case of the prosecution is that the 2nd respondent filed a private complaint before the VII Additional Chief Metropolitan Magistrate, Hyderabad at Nampally alleging that her marriage with the 1st petitioner took place in the year 2000 and that after their marriage all the petitioners harassed her both physically and mentally for additional dowry. Thereafter, the Magistrate referred the said complaint to the Police, Amberpet Police Station for investigation. In pursuance of the same present crime is registered.

Learned counsel for the petitioners submits that the 2nd respondent on her own left the company of the 1st petitioner in the year 2013 and present crime is registered only to harass the petitioners. He also submits that the complaint does not make out any offence as alleged and is vague, basing on which the police are trying to arrest the petitioner and his family members though he is ready to cooperate with the police. He further submits that the 1st petitioner himself submitted all the documents to the police during enquiry and there was also exchange of legal notices between him and the 2nd respondent.

Heard learned Public Prosecutor.

The truth or otherwise of the allegations made in the complaint cannot be gone into at this stage and the same can be decided only after full-fledged trial. Hence this Court is not inclined to scuttle the power of investigation by quashing the FIR. In view of the above facts and circumstances, the petitioners shall not be arrested till filing of the charge sheet. But, the police shall proceed with the investigation and petitioner also shall cooperate with the police for investigating the crime. Otherwise, it is open for the police to take appropriate steps.

With the above direction, this Criminal Petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending in the criminal petitions, shall stand closed.

A.RAJASHEKER REDDY, J

28.10.2015
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