

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

CRIMINAL PETITION NO.1719 OF 2011

ORDER:

This petition is filed under Section 482 of the Code of Criminal Procedure for quashing of further proceedings in C.C.No.233 of 2011 on the file of the Judicial First Class Magistrate, Nalgonda.

The second respondent is the *de facto* complainant. Petitioners herein are the father-in-law and brothers-in-law of the second respondent-wife. The non-petitioner, accused No.1 is the husband. After marriage, they lived happily for about one month and it is alleged that thereafter the husband, accused No.1, started ill-treating the wife on several grounds including demand of some amount towards dowry. There are several allegations made against the husband. In the present petition, it is alleged that accused No.1 has been harassing her the second respondent on the instigation of the present petitioners herein namely, accused Nos.2 to 4. Except that, there is no allegation against the petitioners herein.

It is further submitted that the parties entered into an agreement on 19.04.2011 and the non-petitioner, accused No.1 married another woman in December 2011 and the second respondent-wife also married another person in March 2012.

A perusal of the complaint and the charge sheet shows that there are no specific allegations against the present petitioners-accused No.2 to 4 to proceed against them. Whatever allegations are mentioned, they are only against the non-petitioner/accused No.1. Therefore, continuing proceedings against the petitioners herein would amount to abuse of process of law.

Hence, the proceedings insofar as the present petitioners-accused Nos.2 to 4 are hereby quashed and the Criminal Petition is allowed accordingly. Miscellaneous petitions, if any, pending shall stand dismissed.

(M.S.K.JAISWAL, J)

17th July 2015

RRB