

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

CRIMINAL PETITION No.9066 of 2015

ORDER:

This Criminal Petition, under Section 482 Cr.P.C., is filed to quash the proceedings, dated 17.08.2015, in F.I.R.No.71 of 2015 of Chandarlapadu Police Station, Krishna District, registered for the offences punishable under Sections 376, 511 and 417 read with 34 IPC and Section 4 of the Dowry Prohibition Act.

2. Heard.

3. Petitioner herein is A.1. The allegation in the complaint is that on 09.05.2015, the petitioner/A.1 along with his parents and other relatives came to the house of the *de facto* complainant and fixed marriage of the *de facto* complainant with the petitioner/A.1. Thereafter, the petitioner came to the house of the *de facto* complainant while she was alone in the house and pushed her on the cot and tried to commit rape on her by force, but with great difficulty she escaped from him and went outside. Thereafter, the petitioner used to telephone to the *de facto* complainant and insist her unless she co-operates for sexual intercourse with him, he will not marry her. While the matter stood thus, the petitioner got Visa to go to United States of America. The parents of the petitioner and relatives demanded additional dowry of Rs.20,00,000/- for performing the marriage.

4. Learned counsel for the petitioner/A.1 contended that a false complaint has been foisted against the petitioner/A.1 and his family members; that the *de facto* complainant and her parents have committed cheating by suppressing the fact that the *de facto* complainant cannot conceive ever due to health problem and *prima facie* no offences are made out against the petitioner/A.1 and hence, he prays to quash the F.I.R.

5. On perusal of the complaint, *prima facie* it appears that the offences alleged against the petitioner/A.1 punishable under Sections 376, 511 and 417 read with 34 IPC and Section 4 of Dowry Prohibition Act are required to be investigated into. Further, the complaint does not disclose any ground to quash the F.I.R. Therefore, the petition is liable to be dismissed.

6. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions, if any, pending in this petition shall stand closed.

M.S.K. JAISWAL, J

OCTOBER 05, 2015
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Date:05.10.2015

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