

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

CRIMINAL PETITION No.7111 of 2015

Between:

Surapaneni Naga Bhargavi,
W/o Ramesh,
R/o Flat No.96, Vishnupuram Colony,
Poranki Village,
Penamaluru mandal,
Krishna District.

... Petitioner-A2

And

The State of Andhra Pradesh,
Rep.by its Public Prosecutor,
High Court at Hyderabad & another.

... Respondents-Respondents-*De facto* Complainant

DATE OF JUDGMENT PRONOUNCED: 07.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE S.RAVI KUMAR

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| 1 | Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2 | Whether the copies of judgment may be marked to Law Reports/Journals | Yes/No |
| 3 | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | Yes/No |

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THE HON'BLE SRI JUSTICE S.RAVI KUMAR

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CRIMINAL PETITION No.7111 of 2015

ORDER:

This Criminal Petition is filed to quash the proceedings in

C.C.No.1077 of 2013 on the file of II Additional Chief Metropolitan Magistrate, Vijayawada for the alleged offences under Sections 498-A, 323, 452, 506, 509 r/w 34 IPC.

Petitioner herein is A2 and according to charge sheet allegations A1 developed illegal contact with another lady i.e. A2 and they harassed *de facto* complainant physically, mentally, demanded her to give divorce and threatened her with dire consequences of killing her and beat her indiscriminately. Charge sheet refers to a specific incident dated 13.05.2013 and police, after due investigation, filed charge sheet against both the accused for the above referred offences. Now contention of the petitioner herein is that in 161 Cr.P.C. statements of L.Ws.2 and 3 no details of nature of harassment is spoken to against petitioner herein and without any material police have filed charge sheet against the petitioner herein also. It is further contended that L.Ws.5 and 6 stated only about the act committed by A1 on 13.05.2013 at about 2.30 p.m. and no material is there attracting offences under Sections 498-A, 323, 452, 506 & 509 r/w 34 IPC against petitioner herein.

Heard learned counsel for petitioner. It is represented that A2 is unnecessarily implicated and it is a clear case of harassment and that proceedings in C.C.No.1077 of 2013 have to be quashed. It is further submitted that the case is now coming up for trial after framing of charges. From the submission of learned counsel for petitioner, it is clear that charges were already framed against petitioner herein also for specific offences which means that trial Court, after satisfying that there is *prima facie* material attracting the allegations levelled against the petitioner, framed certain charges. Therefore, at this stage, it is not desirable to consider request of the petitioner to quash the proceedings by exercising powers under Section 482 Cr.P.C by considering the statements of witnesses on the basis of which

charges are already framed. However, since it is a case of 2013, I feel that lower Court be directed to take up the trial and dispose of the matter as expeditiously as possible without being influenced by any of the observations made hereinabove.

Criminal Petition is, accordingly, dismissed. As a sequel to the disposal of this Criminal petition, Miscellaneous Petitions, if any, pending, shall stand dismissed.

S.RAVI KUMAR, J

07th August, 2015.

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