

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.9552 of 2015

ORDER :

This petition is filed by the petitioner under section 482 Cr.P.C seeking to quash the proceedings in Crime No.81 of 2014 of III Town L & O Police Station, Rajahmundry.

2) Heard the learned counsel for the petitioner as well as the petitioner in person before the Court with his identity covered by P.A.N Card ANUPG2165R, Passport No.L4045253 and also Aadhar card by producing the original for comparison and also the 1st respondent-State represented by the Public Prosecutor before admission, before notice to the 2nd respondent and perused the material on record.

3) On perusal of the complaint, which was presented by the 2nd respondent, to the S.H.O, Rajahmundry III Town Police Station, dated 28.02.2014 alleging that she is wife of the petitioner—Gude Lova Muthyala Bhanu Chander (as per passport) and married on 16.01.2013 and it was a love marriage and on 10.02.2013, he approached her and met her at Rajahmundry and left her, from that day onwards his number is not responding to contact over phone and she worried and called his sister but she behaved rudely and she came for searching of him and his parents said they are not bothered about him and asked her to get married another guy and forget him and she suspects that her sister-in-law and mother-in-law hide and he had seen by all the surroundings with his sister, thereby to take action. It is in fact registered as a crime No.81 of 2014 without mentioning any section of law and without mentioning any name of accused and he filed the application stating that there is no question of his missing. He is present today before this Court stating that the defacto-complainant is not his wife and she wants to exploit him and his parents under the guise of F.I.R for non-cognizable offence without naming accused and without section of law, taking advantage

or trying to coerce him to come to terms with her.

4) In fact a perusal of the F.I.R, there is no accusation against him but for against his mother and sister, as if they hided him. When such is the case, there is nothing for this petitioner to seek for quashing of the F.I.R but for if at all aggrieved only his sister and mother. It is represented that a writ petition already filed by him, which is pending by showing concerned police as well as the 2nd respondent/defacto-complainant herein as respondents and it is pending. He is thus to take any remedy if at all available in the writ petition and not by present application seeking to quash the F.I.R.

5) In the result, the quash petition is closed by left open any other remedies to the petitioner, his sister and mother. Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

14.10.2015

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