

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Crl.P.No.3740 of 2015

ORDER :

This petition is filed under Section 482 of the Code of Criminal Procedure (for short, 'the CrPC') by the Petitioners-A.2 and A.3 in Cr.No.33 of 2015 of Pamur Police Station, Prakasham District, Andhra Pradesh registered for the offences punishable under Sections 498-A, 406 and 506 read with Section 34 of I.P.C. on the complaint of 2nd respondent, praying to quash the proceedings in said crime.

2. Heard the learned counsel for the petitioner/A.2 and A.3 so also the learned Public Prosecutor representing State-1st respondent before ordering notice to the 2nd respondent/defacto-complainant and perused the material on record.

3. It is the contention of the learned counsel for the petitioners that the defacto-complainant(2nd respondent) is undisputedly wife of the A.1 whereas, A.2 and A.3 who are the sister and brother and A.2 is another wife of A.1 and the question of A.2 and A.3 harassing the victim does not arise to attract section 498-A of I.P.C. leave about any allegation of they demanded and taken the jewellery of the victim but for her husband. The crime is pending investigation undisputedly. From the very showing, there is no dispute on the fact that they come within the purview of the relatives of the husband of the victim within the meaning of under Section 498-A of I.P.C. Having regard to the above, once Section 498-A of IPC attracts from the accusation made from the complaint, that too, when it is pending investigation, there are no grounds to quash the First Information Report. However, the observation no way take away the right of the accused persons to challenge the final report filed by the police, if any.

4. With the above observation, the Criminal Petition is disposed of. Consequently, miscellaneous applications, if any, pending in this Petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 01.06.2015

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