

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.5918 of 2015

ORDER:

This petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings against the petitioners/A6 and A7 in Crime No.307 of 2015 on the file of the Station House Officer, Alwal Police Station, Cyberabad registered for the offences punishable under Section 498A IPC and Sections 3 and 4 of Dowry Prohibition Act.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor representing the State.

3. A perusal of the record reveals that the petitioners are A6 and A7 and the first respondent is the *de facto* complainant in Crime No.307 of 2015. As per the allegations made in the complaint, the petitioners herein along with others subjected the first respondent to cruelty for additional dowry. It is further alleged that the parents of the first respondent gave Rs.6,00,000/- of money to A1 towards dowry at the time of the marriage.

4. It is a settled principle of law that the Court has to take into consideration the allegations made in the complaint while exercising the inherent power under Section 482 Cr.P.C., in order to quash the proceedings. The allegations made in the complaint are *prima facie* sufficient to investigate into the matter.

5. Having regard to the facts and circumstances of the case and also the principle enunciated in **R.P.Kapoor v. State of Punjab, State of Haryana v. Bhajan Lal, V.Y.Jose V State of Gurajat and Teeja Devi v. State of Rajasthan**, I am of the considered view that this is not a fit case to quash the criminal proceedings at the threshold.

6. The learned counsel for the petitioners submitted that the concerned Station House Officer may be directed not to arrest the petitioners. A perusal of the record reveals that this court granted interim stay of arrest of petitioners/A6 and A7 on 07.7.2015. Having regard to the facts and circumstances of the case and also the interim order of this court, the Station House Officer, Alwal Police Station is hereby directed not to arrest the petitioners/A6 and A7 till completion of the investigation.

7. With the above direction, Criminal Petition is dismissed. Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

T.SUNIL CHOWDARY, J

December 02, 2015.

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