

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

CRL.P.No.10323 of 2009

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. by the Petitioner-accused to quash the proceedings initiated against him in Crime No.338 of 2009 on the file of Dundigal Police Station, Cyberabad, Ranga Reddy District, registered for the offences punishable under Sections 498-A and 324 I.P.C.

On a complaint given by the 2nd respondent herein, a case in Crime No.338 of 2009 was registered against the petitioner by the Inspector of Police, Dundigal Police Station for the offences under Sections 498-A and 324 I.P.C. The 2nd respondent alleged in the complaint that her daughter by name P.Srilatha was given in marriage to the petitioner-accused; he used to abuse and beat her daughter and that on 23.10.2009 her daughter consumed sleeping tablets. It is further alleged that on 24.10.2009 the petitioner-accused beat the 2nd respondent and her daughter with a knife and caused injuries.

Learned Counsel for the petitioner-accused submitted that the present complaint is filed by the 2nd respondent against the petitioner-accused as a counter blast to the case in Crime No.337 of 2009 filed by the petitioner-accused against the 2nd respondent herein and

others. He further submitted that the wife of the petitioner-accused filed D.V.C.No.13 of 2007 and also M.C.No.21 of 2007 before the IX Metropolitan Magistrate, Cyberabad and that both the cases were closed at the intervention of elders. He further submitted that during the proceedings in D.V.C. the 2nd respondent filed an affidavit before the Court about the falsity of the case filed by her daughter.

Heard the learned Counsel appearing on either side and perused the material available on record.

The allegations in the present complaint *prima facie* reveal the commission of alleged offences by the petitioner-accused. The contention of the petitioner is that the present complaint is filed by the 2nd respondent against the petitioner-accused as a counter blast to the case in Crime No.337 of 2009 filed by the petitioner-accused against the 2nd respondent herein and others. The truth or otherwise of the allegations cannot be gone into in this petition and it can only be decided during the course of investigation. Therefore, I see no grounds to interfere at this stage with the investigation of the case.

Having regard to the aforesaid facts and circumstances of the case, the Criminal Petition is disposed of with a direction to the Investigating Officer to proceed with the investigation in both the Crime Nos.338 of 2009 and 337 of 2009 expeditiously and take appropriate steps, however, the petitioner-accused shall

not be arrested pending investigation.

Miscellaneous petitions, if any, pending shall stand closed.

M.S.K.JAISWAL, J

18-12-2015

Gsn