

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.10439 of 2015

ORDER:

This petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings against the petitioners/A1 to A4 in Crime No.824 of 2015 of Uppal Police Station, registered for the offences punishable under Sections 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 A1 to A4 and the second respondent is the *de facto* complainant in Crime No.824 of 2015. As per the allegations made in the complaint, the petitioners subjected the second respondent to cruelty for additional dowry. It is further alleged that at the time of the marriage, the parents of the second respondent gave Rs.2,00,000/- to the first petitioner towards dowry.

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 petitioner. Having regard to the facts and circumstances of the case and also in view of the orders passed by this Court on 13.10.2015, the Station House Officer, Uppal Police Station is hereby directed not to arrest the petitioners/A1 to A4 till completion of the investigation in Crime No.824 of 2015.

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

November 27, 2015.

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