

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

CRIMINAL PETITION NO.1534 OF 2011

ORDER:

This petition is filed under Section 482 of the Code of Criminal Procedure for quashing of further proceedings in D.V.C.No.3 of 2011 on the file of the II Metropolitan Magistrate, Cyberabad at L.B.Nagar.

The *de facto* complainant-second respondent herein is the wife of the non-petitioner/B.Lakshmi Narayana Reddy. Petitioners herein are shown as respondent Nos.2 to 7 in the D.V.C., who are the father-in-law, mother-in-law, brother-in-law, sister-in-law, husband of sister-in-law and co-sister of the second respondent-wife respectively. As per the complaint, after the marriage, the *de facto* complainant and the non-petitioner lived at different places and they are also having two sons aged about 16 and 11 years as long back as in the year 2011. The *de facto* complainant narrated the events for several years in her complaint. It is also mentioned in the complaint that the second respondent-wife needs to be provided with accommodation and that she should not be directed to vacate the house.

There is no doubt in regard to events and allegations alleged against the petitioners herein, however, in the complaint, she stated that she is seeking relief against the petitioners as well. Obviously, the proceedings against the petitioners in the D.V.C. cannot be quashed but however, their presence during the course of trial may not be necessary. In that view of the matter, the learned Magistrate is directed to proceed with the enquiry without insisting for the presence of the petitioners and shall dispose of the DVC within three (3) months from the date of receipt of a copy of this order.

The Criminal Petition is, accordingly, dismissed. Miscellaneous petitions, if any, pending shall stand dismissed.

(M.S.K.JAISWAL, J)

17th July 2015

RRB