

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.6054 of 2015

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ORDER :

This criminal petition is filed by the petitioners/A.2 to A.8 under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.89 of 2015 of Kalapathar Police Station, Hyderabad, registered for the offences punishable under Sections 326 and 498-A read with 34 IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

2. Heard the learned counsel for the petitioners as well as the 2nd respondent-State represented by the Public Prosecutor before admission and before ordering any notice to the 1st respondent and perused the material on record.

3. As the material falls short for this Court even no grounds to admit the application under Section 482 Cr.P.C., the same is disposed of. From perusal of the report of the *de facto* complainant dated 21.05.2015 for the alleged occurrence on 20.05.2015 at about 9:00 p.m., the father-in-law and husband started beating the *de facto* complainant with small knife and mother-in-law started pressing neck and it further shows that she was immediately taken to Police Station and there from shifted to Osmania General Hospital at about 10.30 p.m. Whereas the report registered as F.I.R. shows the report

received only on 21.05.2015 at 0600 hours.

4. It is the contention of the learned counsel for the petitioners that once the *de facto* complainant appeared before the Police Station from her very say on the night of 20.05.2015 and at about 10.30 p.m. allegedly referred to Osmania General Hospital, if at all to take cognizance, the police ought to have been recorded the statement and registered the crime and the subsequent receiving of the report belatedly and registering the crime, is not tenable and there is nothing to show that she was treated as inpatient even from endorsement of the report received and not any statement recorded on 21.05.2015 at 1800 hours. It is further represented that A.1 already arrested and enlarged on bail.

5. Hence, the petitioners are entitled to concession of bail. There by, the petitioners are given liberty to surrender before the learned Magistrate with an application for regular bail with notice to APP concerned. In such an event, the learned Magistrate shall grant bail preferably on the same day with necessary conditions.

6. With the above observation, the criminal petition is disposed of.

7. Miscellaneous petitions pending, if any, shall stand dismissed.

Dr. B. SIVA SANKARA RAO, J

10th July 2015.

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