

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

CRIMINAL PETITION No.12963 of 2015

ORDER:

This criminal petition is filed under Section 482 Cr.P.C to quash the proceedings in D.V.C.No.23/2015 on the file of the XIV Special Magistrate, Hyderabad.

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

The allegations are that the 1st respondent was married to the non-petitioner/1st respondent and in so far as the petitioners are concerned, they are mother and sister of the non-petitioner/1st respondent. The allegations as contained in para-6 of the complaint wherein the 1st respondent/wife stated that both the petitioners herein being mother-in-law and sister-in-law subjected the 1st respondent/wife to harassment and cruel treatment and forcing her to do work, and they have also taken away her gold and jewelry and kept the same in their custody.

Perusal of the complaint shows that *prima facie* it cannot be said that there is no material to proceed against the petitioners/respondents 3 & 4. Therefore, it is not a fit case where the proceedings against them can be quashed. The truth or otherwise of the allegations can only be decided during course of trial.

The Criminal Petition is accordingly dismissed. However, as both the petitioners are mother and unmarried sister of the non-petitioner/1st respondent-husband, and considering the circumstances, the Court below is directed to proceed with the enquiry in DVC, however, without insisting for the presence of the petitioners/respondents 3 & 4 for each and every adjournment, unless it feels that their physical presence is necessary for any specific purpose.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 07.12.2015

Dsr