

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WEDNESDAY THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FIFTEEN

PRESENT

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

CRIMINAL PETITION No.9039 of 2015

Between:

Shaik Noorjahan and 3 others

..... PETITIONERS/A2 to A5

AND

The State of Andhra Pradesh,
Rep.by its Public Prosecutor,
High Court, Hyderabad and another

.....RESPONDENTS

The Court made the following:

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

CRIMINAL PETITION No.9039 of 2015

ORDER:

This criminal petition is filed by the petitioners/A2 to 5 under Section 482 Cr.P.C to quash the proceedings in Cr.No.407 of 2014 on the file of Vijayawada I Town Police Station, Krishna District, registered for the offences punishable under sections 498-A IPC.

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

It is alleged that the 2nd respondent/*de facto* complainant is the legally wedded wife of the non-petitioner/A1 and at the time of marriage the parents of the *de facto* complainant gave sufficient dowry and jewelry to her in-laws. The non-petitioner/A1 is the Doctor at Australia and to take the *de facto* complainant to Australia, the non-petitioner/A1 and the petitioners herein demanded Rs.2 lakhs and parents of the *de facto* complainant gave the said amount. The *de facto* complainant lived with her husband at Australia for some and came back to India. Thereafter, it is alleged that the non-petitioner/A1 and the petitioners herein demanded the parents of the *de facto* complainant \$80,000 (AUD) for purchasing a house in Australia and for the said amount the accused subjected the *de facto* complainant both mentally and physically.

In so far as the petitioners/A2 to A5, who are alleged to be the parents and relatives of the non-petitioners/A1 are concerned, it is alleged that they have demanded *de facto* complainant for additional dowry and for other things over telephone. This is a matter, which requires investigation by the police. There are no valid grounds to quash the First Information Report.

In the facts and circumstances of the case, it is directed that the investigating agency shall proceed with the investigation, however, shall not arrest the petitioners/A2 to A5 till the investigation is completed and charge sheet is filed.

The Criminal Petition is accordingly dismissed.

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

M.S.K.JAISWAL,J

Date:30.09.2015

Dsr