

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

CRIMINAL PETITION Nos.7854 & 7926 of 2015

COMMON ORDER:

These two criminal petitions are filed by the petitioners/A1 to A3 under Section 482 Cr.P.C., seeking to quash the proceedings in S.C.No.553 of 2015 on the file of the I Additional Metropolitan Sessions Judge, LB Nagar, Ranga Reddy district at Hyderabad, relating to Crime No.86 of 2015 of P.S.Ibrahimpattam, registered against the petitioners/accused and others for the offence punishable under Section 304-B, read with Section 34 IPC.

2. The petitioner/A1 is the husband and the petitioners/A2 and A3 are the in-laws of the deceased Swapna, who has committed suicide by pouring kerosene on her body and setting fire to herself on 18.03.2015, due to unbearable harassment made by the Accused, demanding additional dowry, and died on 19.03.2015.

3. The learned counsel for the petitioners/accused submits that the dying declaration that is recorded by the jurisdictional Magistrate clearly shows that the petitioners are not responsible for the unfortunate incident, and as such the further proceedings may be quashed.

4. Heard the learned counsel for the petitioners/accused and the learned Public Prosecutor, and considered the material on record.

5. At this stage, the reliability, probative value and the effect of the dying declaration made by the deceased cannot be

adjudicated. It is a matter of evidence, which should be placed on record to show that under what circumstances the dying declaration came to be made and whether that can be made basis for determining the guilt or otherwise of the petitioners/accused. Therefore, the proceedings cannot be quashed now.

6. The learned counsel for the petitioners submits that A1 is gainfully employed in Abudabi and for the purpose of this case, he has come to India by availing leave and therefore sought for expeditious disposal of the case.

7. In view of the above, the Criminal Petition is dismissed. However, in view of the submissions made on behalf of the petitioners/accused, the learned I Additional Metropolitan Sessions Judge, LB Nagar, Ranga Reddy district is directed to dispose of the case as expeditiously as possible preferably within a period of three months from the date of receipt of this order. Consequently, pending miscellaneous applications, if any, shall stand closed.

M.S.K.JAISWAL,J

Date: 07.09.2015
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