

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.6420 of 2015

ORDER :

This criminal petition is filed by the petitioners/accused Nos.4 to 7 under Section 482 Cr.P.C to quash the proceedings in C.C. No.56 of 2015 on the file of Additional Judicial Magistrate of the First Class, Bhongir, Nalgonda District which is the outcome of the report of the 2nd respondent/defacto-complainant in Crime No.188 of 2014 of Bhongir Police Station registered for the offences punishable under Sections 498-A I.P.C and Sections 3 and 4 of the Dowry Prohibition Act.

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

3) As the facts fall short for this Court to admit the application for quashing under Section 482 Cr.P.C, the same is disposed of giving liberty to the petitioners to file an application under Section 239 Cr.P.C before the learned Magistrate seeking discharge and the learned Magistrate, if finds no ground to frame charge under Section 240 Cr.P.C, shall pass appropriate orders, needless to say only from the prosecution material vide ***State of Orissa V. Debendranath***

Padhi ^[1]. It is further needless to say that the petitioners are

at liberty to file an application under Rule 37 of Criminal Rules of Practice to represent one accused on behalf of other accused and the learned Magistrate shall hear and permit the same with necessary conditions.

4) With the above observations, the criminal petition is disposed of. Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

21.07.2015
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[\[1\]](#) (2005)1 SCC 568