

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

Criminal Petition No. 6240 of 2015

Order:

This Criminal Petition is filed, under Section 482 of the Code of Criminal Procedure, 1973, by the petitioners/A3 and A4, seeking to quash the proceedings pending against them in C.C. No. 254 of 2013 on the file of the learned Judicial Magistrate of First Class, Penukonda, Anantapur District, for the offences punishable under Section 498(A) IPC and Sections 3 and 4 of the Dowry Prohibition Act.

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

3. The petitioners/A3 and A4 herein are the sister and brother-in-law of A1. The allegation against them is that they along with A1 harassed the second respondent/*de facto* complainant both mentally and physically and demanded her to get additional dowry from her parents. Taking into consideration the nature of allegations and the averments made in the charge sheet, I do not think it proper to quash the proceedings against the petitioners/A3 and A4.

4. At this stage, learned counsel for the petitioners/A3 and A4 submits that the petitioners/A3 and A4 are residents of Bangalore and it will be difficult for them to attend for each and every adjournment in the above case and prays that the presence of the petitioners/A3 and A4 may be dispensed with.

5. The Criminal Petition is, accordingly, dismissed. However, the learned Judicial Magistrate of First Class, Penukonda, Anantapur District, is directed to proceed with the case in C.C. No. 254 of 2013 without insisting for the presence of the petitioners/A3 and A4 herein for each and every adjournment, unless their presence is necessary for any specific purpose.

6. As a sequel thereto, the miscellaneous applications, if any, pending in the Criminal Petition shall stand closed.

M.S.K. JAISWAL, J.

Date: 14.07.2015
Nsr