

HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3231 of 2012

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ORDER:

1. This petition is filed by the petitioner-accused under Section 482 Cr.P.C. seeking to quash the proceedings against him in C.C.No.286 of 2011 on the file of the III Metropolitan Magistrate, Cyberabad, L.B. Nagar, Ranga Reddy District.

2. Brief facts of the case are as follows:

The petitioner is the younger brother of the husband of the 2nd respondent- de facto complainant. The brother of the petitioner married the de facto complainant on 7.4.2010. Thereafter, on 13.11.2010, the 2nd respondent lodged a complaint against the petitioner and other persons including her husband. It is alleged that on the date of marriage, the petitioner along with his parents abused stating that the family of the de facto complainant is a mismatch to them. Further, it is alleged that A1 to A3 compelled the de facto complainant to execute documents in the name of the petitioner, who is in USA. It is also alleged that the petitioner induced A1 and others to ill-treat the 2nd respondent-de facto complainant.

3. The learned Counsel for the petitioner submitted that the allegations made in the complaint against the petitioner and the statements recorded by the police during the course of investigation are inconsistent and there are no sufficient grounds to proceed against the petitioner and therefore, the proceedings against the petitioner are liable to be quashed.

4. Heard and perused the material available on record.

5. On the reading of the entire complaint and the charge sheet, this Court is of the view that the allegations made in the First Information Report/complaint, even if they

are admitted in their entirety, do not prima facie constitute any offence or make out a case against the petitioner-accused for the offence under Section 498-A IPC. The same is also not disputed by the learned Counsel appearing for the 2nd respondent. Therefore, it is a fit case to quash the proceedings against the petitioner-accused.

6. Accordingly, the Criminal Petition is allowed quashing the proceedings against the petitioner-accused in C.C.No.286 of 2011 on the file of the III Metropolitan Magistrate, Cyberabad, L.B. Nagar, Ranga Reddy District. Miscellaneous petitions pending, if any, shall stand closed.

Justice Raja Elango

Dated: 8.6.2015

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