

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.3183 of 2015

ORDER:

This petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings against the petitioners/A1 to A3 and A6 to A9 in Crime No.70 of 2015 on the file of the Station House Officer, Guntur Taluq Police Station, registered for the offences punishable under Sections 498A and 420 read with 34 IPC.

2. Heard the learned counsel for the petitioners, learned counsel for the second respondent and the learned Public Prosecutor representing the State.

3. The petitioners are A1 to A3 and A6 to A9 and second respondent is *de facto* complainant in Crime No.70 of 2015. The marriage of second respondent was performed with petitioner No.1/A1 on 24.2.2007 at Anna Srinivasa Rao Kalyana Mandapam, Guntur, as per Hindu rites and caste customs. At the time of the marriage, the parents of second respondent gave dowry to petitioner No.1/A1. As per the allegations made in the complaint, the petitioners subjected the second respondent to cruelty for additional dowry. It is further alleged that the petitioners cheated the second respondent. Whether the petitioners have committed the alleged offence or not will come to light during the course of investigation.

4. It is a settled principle of law that the Court has to take into consideration the allegations made in the complaint while exercising the inherent power under Section 482 Cr.P.C., in order to quash the proceedings. The allegations made in the complaint are *prima facie* sufficient to investigate into the matter.

5. Having regard to the facts and circumstances of the case and

also the principle enunciated in **R.P.Kapoor v. State of Punjab**^[1],
State of Haryana v. Bhajan Lal^[2], **V.Y.Jose V State of Gurajat**^[3]
and Teeja Devi v. State of Rajasthan^[4], I am of the considered view
that this is not a fit case to quash the criminal proceedings at the
threshold.

6. The learned counsel for the petitioners submitted that the
concerned Station House Officer may be directed not to arrest the
petitioners. Having regard to the facts and circumstances of the case,
the Station House Officer, Guntur Taluq Police Station is hereby
directed not to arrest the petitioners/A1 to A3 and A6 to A9 till
completion of the investigation in Crime No.70 of 2015.

7. With the above direction, criminal petition is dismissed.
Miscellaneous Petitions, if any, pending in this Criminal Petition shall
stand closed.

T.SUNIL CHOWDARY, J

December 22, 2015.
YS

^[1] AIR 1960 SC 866

^[2] AIR 1992 SC 604

^[3] (2009) 3 SCC 78

^[4] 2015 (1) ACR 564 (SC)