

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

CRL.P.No.9227 of 2015

ORDER:

The petitioners, who are A-3 and A-4, seek to quash the order passed in CrI.M.P.No.821 of 2015 in C.C.No.76 of 2015 on the file of the XV Additional Chief Metropolitan Magistrate, Hyderabad, registered for the offences punishable under Sections 498-A, 406, 506 I.P.C. and Sections 4 and 5 of Dowry Prohibition Act.

A private complaint was filed by the 1st respondent herein against the petitioners and other accused for the aforesaid offences before the trial Court and it was referred to the police under Section 156 (3) Cr.P.C. for investigation and report. Thereafter, the Sub Inspector of Police, Women Police Station, Hyderabad City, registered the complaint as a case in Crime No.231 of 2014 against the accused for the aforesaid offences and took up investigation. Eventually, after completion of investigation, a charge sheet was laid under the aforesaid offences against A-1 and A-2 only, deleting the names of A-3 and A-4 as no offence is made out against them. Aggrieved by the same, the 1st respondent-complainant filed a protest petition vide CrI.M.P.No.821 of 2015 before the trial Court and the same was allowed and consequently the petitioners herein were arrayed as A-3 and A-4 in this case.

Heard the learned Counsel appearing for the petitioners and the learned Public Prosecutor, representing the State.

A perusal of the allegations in the private complaint as well as statements of witnesses would clearly reveal a *prima facie* case against the petitioners herein also for the aforesaid offences. The truth or otherwise of the allegations cannot be gone into in this petition and it can only be decided during the course of trial. Therefore, I see no reason to interfere with the matter at this stage by

quashing the proceedings against the petitioners. Instead it is better to allow the trial in the case to be expedited.

For the aforesaid reasons, the Criminal Petition is dismissed. However, the trial Court is directed to proceed with the trial of the case expeditiously without insisting the presence of the petitioners-A3 and A4 on every date of hearing unless it feels that their presence is required for any specific purpose.

Miscellaneous petitions, if any, pending shall stand closed.

M.S.K.JAISWAL, J

08-10-2015

Gsn