

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

CRL.P.No.12903 of 2015

ORDER:

This Criminal Petition is filed by the Petitioners to quash the proceedings initiated against them in D.V.C.No.108 of 2015 on the file of the Additional Judicial Magistrate of First Class, Karimnagar.

Petitioner No.1 is the husband; petitioners 2 and 3 are father-in-law and mother-in-law of respondent No.2 herein, who filed the aforesaid D.V.C.No.108 of 2015 seeking to restrain the petitioners from entering into her house and to direct them to return the dowry amount and also to grant monthly maintenance as well as compensation. It is alleged in the said D.V.C. that the marriage of the 2nd respondent was performed with petitioner No.1 on 22.05.2011 and at the time of marriage the parents of the 2nd respondent gave an amount of Rs.5,50,000/- and five tulas of gold and other household articles worth Rs.50,000/- as dowry to the petitioners herein. The 1st petitioner and the 2nd respondent herein were blessed with a female child and thereafter the 1st petitioner started harassing the 2nd respondent mentally and physically for additional dowry on the instigation of petitioners 2 and 3. It is further alleged that the 1st petitioner is a habituated alcoholic and that he used to suspect the fidelity of the 2nd respondent and also used to beat her mercilessly. It is further alleged that the petitioner No.2 used to molest the 2nd respondent in the absence of other petitioners.

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

The allegations in the aforesaid D.V.C. clearly reveal a *prima facie* case against the petitioners. 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.

Having heard the learned Counsel for the petitioners and having gone through the contents of the D.V.C., the Criminal Petition is disposed of with a direction to the trial Court to proceed with the trial of the case expeditiously without insisting the presence of petitioners 2 and 3 only on every date of hearing unless it feels that their presence is necessary for any specific purpose. However, the 1st petitioner shall appear before the trial Court on every date of hearing of the case.

Miscellaneous petitions, if any, pending shall stand closed.

M.S.K.JAISWAL, J

07-12-2015

Gsn