

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

CRIMINAL PETITION No.1747 of 2011

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ORDER:

This Criminal Petition is filed by the petitioners herein/A1 to A8, under Section 482 of the Code of Criminal Procedure, 1973, seeking to quash the proceedings in C.C.No.464 of 2009 on the file of VI Additional Judicial First Class Magistrate, Warangal, registered for the offences punishable under Sections 498-A I.P.C. and Sections 3 and 4 of Dowry Prohibition Act.

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

The admitted facts are that the 1st petitioner/A1 is the husband of the 2nd respondent/wife. Their marriage was performed on 17.09.2007 and out of their wedlock, they were blessed with a female child. The 1st petitioner/husband filed O.P.No.545 of 2008 before the Judge, Family Court, Warangal, for restitution of conjugal Rights and the 2nd respondent/wife filed M.C.No.60 of 2009 claiming maintenance in the same Court. Thereafter, the 2nd respondent/wife filed the present Criminal Petition for the offences punishable under Section 498-A I.P.C., and Sections 3 and 4 of Dowry Prohibition Act against her husband and his relations.

A perusal of the complaint shows that since certain allegations are levelled against the petitioners/A1 to A8, at this stage, it is not proper to go into the correctness or otherwise of the allegations made. However, the presence of the petitioners 2 to 8/A2 to A8 shall be dispensed with during the pendency of the

trial.

In view of the facts and circumstances of the case, the Criminal Petition is disposed of directing that the Court below shall proceed with trial, however, it shall not insist for the presence of petitioners 2 to 8/A2 to A8 except for the purpose of examination during the course of trial.

The miscellaneous petitions, if any, pending in the Criminal Petition shall stand closed.

M.S.K.JAISWAL, J

03.07.2015

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