

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

Criminal Petition No.4309 of 2013

Between:

Nama Sukanya

And others.Petitioners

And

The State of Andhra Pradesh

Rep. by Public Prosecutor,

High Court of Judicature at Hyderabad

And another. Respondents

DATE OF JUDGMENT PRONOUNCED: **30.07.2015**

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

1. Whether Reporters of Local Newspapers

may be allowed to see the judgments? Yes / No

2. Whether the copies of judgment may be

marked to Law Reporters / Journals? Yes / No

3. Whether Their Lordship wish to

see the fair copy of the Judgment? Yes / No

THE HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

Criminal Petition No.4309 of 2013

ORDER:

In this petition filed under Section 482 Cr.P.C, the petitioners/A2 to 4 seek to quash the Order dt.22.02.2013 in Sr.No.4909 of 2012 in C.C.No.427 of 2012 passed by the learned I A.J.F.C.M., Warangal, whereby and whereunder the learned Magistrate took cognizance of the offences under Section 498-A IPC and Sections 3,4 and 6 of Dowry Prohibition Act (for short "DP Act") against the accused Nos. 2 to 4 on the private complaint filed by the complainant.

2) The factual matrix of the case, which led to file the present petition is thus:

a) *De facto complainant* is the wife of A.1. A.2 is the mother, A.3 is the sister-in-law and A.4 is the brother of A.1. A.1 on account of his job has been residing in U.K, whereas A.2 to A.4 are residents of Bengaluru. Complainant and her parents are residents of Kumarpally, Hanamkonda, Warangal District.

b) The case of the Complainant is that she passed M.Sc (Botany) and she also got through LL.B., and she worked for some time as Process Associate in Fidelity Company at Bengaluru and due to global economic recession, she lost her job in the year 2005. The complainant was a divorcee as her first marriage for some reasons did not last long. A.1 who works as Engineer in Intervoice Company at Manchester, U.K., too was a divorcee. A.1, upon seeing the Bio-data of complainant on matrimonial website contacted her by phone in the 3rd week of April, 2009 and made a proposal to get married her. She advised him to contact her elders. Accordingly, A.1 visited the house of the complainant situated at Kumarpally, Hanamkonda in the last week of April, 2009 and saw the complainant and expressed his intention to marry her before LWs. 1 to 7. Her elders agreed for the marriage though the parties belong to different communities. Then, A.1 took other accused to the house of complainant in the first week of May, 2009 and they too saw the complainant and agreed for their marriage.

c) The further case of the complainant is that during marriage negotiations, all the accused demanded Rs.5,00,000/- towards dowry

and Rs.1,00,000/- as Adapaduchu Katnam, Rs.3,00,000/- towards clothes and house hold articles besides 10 Tulas of gold. Though it was burdensome to her family members, on persistent demand of accused, they agreed. The accused asked the complainant's family members to perform marriage engagement on 10.05.2009 and marriage on 18.05.2009 at Bengaluru as A.1 had already booked his return flight ticket to 24.05.2009 to go to U.K. Accordingly, engagement ceremony and marriage were performed on 10.05.2009 and 18.05.2009 respectively. The marriage was performed at Laxmi Venkateshwara Swamy Temple, J.P. Nagar, Bengaluru. At the time of marriage, the parents of the complainant paid a sum of Rs.5,00,000/- towards dowry, Rs.1,00,000/- as Adapaduchu Katnam, Rs.1,00,000/- for clothes and Rs.2,00,000/- for household articles and also gave 10 Tulas of gold. The marriage was consummated on 18.05.2009 at Bengaluru. On the next day, the couple went to Tirupathi and since then A.1 started harassing the complainant forgetting that they were newly married couple. He telephoned to LW.4 and abused him in filthy language on the ground that no proper arrangements were made for their trip. On 20.05.2009 both of them returned to Bengaluru and joined the other accused. On 22.05.2009 both of them submitted the documents in V.F.S Office, Bengaluru, for issuance of VISA to the complainant to enable her to join A.1. The complainant paid Rs.80,000/- in the said office towards fee for issuance of VISA.

d) Her further case is that on 24.05.2009 A.1 went to London and assured that she can join him as soon as she get VISA and both of them can lead happy conjugal life. The complainant stayed with other accused at Bengaluru till second week of June, 2009. At that time, A.2 took her gold ornaments on the pretext of preserving them in the Almarah. Not only that A.2 to A.4 demanded an additional dowry of Rs.15,00,000/- on the ground that A.2 has spent huge amounts for the studies of A.1 and they would get recouped that amount from the complainant and unless she paid, they would not allow her to join A.1 at London. Hearing the news of this harassment, the father of the

complainant went into Coma due to depression and died on 24.07.2009.

e) Her further case is that on 22.11.2009 the complainant went to Manchester. Though A.1 promised, neither did he turn up to the Airport nor respond to her phone calls. Having been stranded and found no other way, she contacted her friend Smt. Shuba and informed her about her plight and then the said Shuba took her from the Airport to her house situated at London. When the complainant informed A.2 by phone about this episode, she replied that unless she paid additional dowry of Rs.15,00,000/-, her husband would not allow her to his fold.

f) Her further version is that the complainant accompanied by Smt. Shuba went to the residence of A.1 at Manchester, but to their dismay, he was not residing in that address. Then with the help of Smt Shuba, the complainant sought the help of the Solicitor (Lawyer), Citizen Advise Bureau, London, they advised her to give complaint to Indian Embassy. Thereafter, both of them went to Sri Raj Reddy, Director of Telugu Association of London (TAL) and submitted all travails in the form of Email. Mr. Raji Reddy forwarded the said Email to the Director, Indian Embassy at Birmingham, London. While so, the complainant informed about her pathetic position to LWs.1 to 4, who met A.2 to A.4 at Bengaluru and finally obtained the correct address of A.1 at Manchester and intimated to the complainant. Thereafter, again the complainant, Smt Shuba and her family members went to the house of A.1 at Manchester, A.1 did not allow her into the house and called the police of Manchester. The complainant narrated all the facts before the police, but they expressed their inability on the ground that their marriage took place in India and told that she was at liberty to lodge a complaint and send a copy to the Embassy of U.K. In these circumstances, the complainant remained with Smt. Shuba for about one year two months with a hope that there would be a change in the attitude of her husband and he would invite her. However, her faith shattered and as there was no response, she came back to India on 27.07.2011. During her stay in U.K, she used

to inform her family members about the developments in London. Then LWs. 3,4 and 6 went to Bengaluru and requested A.2 to A.4 to allow the complainant to reside with them till A.1 returns from London, but they declined to do so and repeated their demand for additional dowry of Rs.15,00,000/-. Having waited for six more months, the complainant lodged complaint dt. 02.02.2012 with Women Police Station, Warangal, which was registered as Cr.No.15 of 2012. Later, on point of jurisdiction, the complaint was transferred to Women Police Station, Warangal Urban and re-registered as Cr.No.30 of 2012. After investigation, the police laid charge sheet against A.1 for the offences under Sections 498-A and 420 IPC and Section 3 and 4 of D.P.Act. A.2 to A.4 are concerned, their names were deleted from the charge sheet by the Investigating Officer on the submission that as per the statements of LWs. 7 to 9, the complainant never stayed with A.2 to A.4 after the marriage and she never visited her matrimonial house and so, no offences could be made out against them.

g) The charge sheet was taken on file against A.1 for the offences under Sections 498 and 420 IPC and Sections 3 and 4 of DP Act and a case was taken on file as C.C.No.427 of 2012 by I Additional Judicial First Class Magistrate, Warangal.

h) While so, aggrieved by the omission of A.2 to A.4 in the final tally, the complainant filed a protest complaint in S.R.No.4909 of 2012 before learned I Additional Judicial First class Magistrate, Warangal, who after enquiry passed the impugned Order dt. 22.02.2012 and directed police to register a case against A.2 to A.4 for the offences under Sections 498-A and 3, 4 and 6 of D.P. Act.

Hence, the instant Criminal Petition.

3) Heard arguments of Sri A.Prabhakar Rao, learned counsel for petitioners and learned Assistant Public Prosecutor supplemented by the *de facto* complainant.

4 a) Severely criticising the order of learned Magistrate taking cognizance of the offences against the petitioners Nos.2 to 4, learned counsel for petitioners firstly argued that police after threadbare

investigation having found LWs.7 to 9 categorically stating in their 161 Cr.P.C. statements that the *de facto* complainant never resided with A.2 to A.4 at Bengaluru after departure of her husband to London and so, the alleged harassment by A.2 to A.4 was not established, rightly deleted A.2 to A.4 from the Charge sheet, but however, the learned Magistrate took cognizance of the protest complaint without considering the charge sheet and statements of the witnesses recorded by police. He argued, the learned Magistrate just carried away by the allegations in the protest complaint and the sworn statements of witnesses, which were all improved versions than the ones found in the FIR, 161 Cr.P.C statements recorded by police. Citing an example, learned counsel submitted that in the FIR though the *de facto* complainant alleged that A.2 to A.4 demanded additional dowry of Rs.15,00,000/-, she never stated that they bet her indiscriminately. However, in the protest complaint she improved her version and alleged as if the accused bet her black-and-blue and abused in filthy language and necked her out of the house in the second week of June, 2009 with a direction to bring an additional dowry of Rs.15,00,000/-. He argued that these improved allegations are nothing but an attempt to rope in A.2 to A.4, who are innocents. He argued that given the background circumstances that both parties were divorcees and some how came to an understanding and married each other, the question of accused demanding dowry or other paraphernalia does not arise and this sort of allegation is only to implicate them in a false case. He submitted that the exaggerated version of the complainant shows her evil brain to harass A.2 to A.4. Hence, A.2 to A.4 deserve quashment of the proceedings as continuation of the case against them would amount to abuse of process of the Court. He argued that if the FIR allegations, which are earlier to the protest complaint, are considered, they would show only a casual reference of A.2 to A.4 without mentioning any specific overtacts. In a matrimonial case like this, if the allegations do not disclose more than a casual reference of the accused without specifying their overtacts, proceedings can be quashed against such accused. To buttress his argument, he relied upon the following

decisions:

1. **Preeti Gupta and another vs. State of Jharkhand and another.**
2. **Geeta Mehrotra and another vs. State of Uttar Pradesh and another.**
3. **Cheeli Asirvadam and others vs. State of Andhra Pradesh and another.**
4. **Aruna Bai @ Andalu and others vs. State of Andhra Pradesh and another.**

b) Secondly, learned counsel argued that even if the allegations are taken to be true, they would disclose no part of the offences whatsoever had taken place at Hanumakonda so as to confer territorial jurisdiction on the learned Magistrate, Warangal to try the offences. To buttress his argument, he relied upon the following decisions:

1. **Y. Abraham Ajith and others vs. Inspector of Police, Chennai and another**
2. **Bhura Ram and others vs. State of Rajasthan and another.**
3. **Amarendu Jyoti and others vs. State of Chhattisgarh and others.**

c) Finally, he contended that the FIR was lodged belatedly with all false allegations and for that reason also, it is liable to be quashed.

5 a) Per contra, opposing the petition, the *defacto* complainant while assisting the prosecution firstly argued that it is preposterous to contend that no specific overtacts are attributed against A.2 to A.4. She argued that vivid allegations are made as to how A.2 to A.4 took away the gold ornaments of complainant during her stay in the matrimonial home and how they demanded an additional dowry of Rs.15,00,000/- and proclaimed that unless the said amount was paid,

they would not allow her to join with her husband at London. It was also made clear in the complaint that on account of their harassment, her father went into Coma out of depression and died and the allegations were also made to the effect that even after the complainant returned from London, they did not allow her to stay with them, which forced her to stay in her paternal home and hence these allegations will show the specific overtacts of A.2 to A.4. She further argued that unfortunately, the police while filing charge sheet referred only the statements of Lws. 7 to 9, who are interested witnesses and relations of accused and further mentioned as if the complainant did not stay in her matrimonial home and no case was made out against A.2 to A.4. Therefore the complainant had to file a protest complaint bringing all the fact situations to the notice of learned Magistrate and upon considering her protest complaint and the statements of witnesses, the learned Magistrate took cognizance of the offences against A.2 to A.4 also and therefore, the instant petition is not maintainable at their instance.

b) Secondly, the *de facto* complainant argued that she had justification in filing the complaint in Warangal Police Station, as part of the cause of action had taken place within the jurisdiction of the learned Magistrate Court at Warangal. Taking the Court through the FIR allegations and also protest complaint allegations, she argued that the marriage talks were held in the house of her parents at Hanumakonda where the accused made initial demand for dowry and subsequently, the betrothal, marriage and additional demand of dowry took place at Bengaluru. Ultimately, she was forced to return to the house of her parents because A1 did not come to receive her in the Manchester Airport and did not care for her during her stay in London and did not allow her to reside with him and so invariably she had to come back to her parental home and thereafter, inspite of her brothers and sister-in-law went to Bengaluru to request A.2 to A.4 to allow the complainant to reside with them and instruct A.1 to mend his ways, they did not agree and therefore, the complainant had to stay at Hanumakonda only. For all these reasons, she argued that the offence of cruelty and harassment continued at Hanumakonda

also in the sense that but for the attitude of the accused, the complainant would not have stayed in her parental home with all sufferings and therefore, the Warangal Court has jurisdiction to entertain the complaint. She relied upon an unreported judgement rendered by High Court of Jharkhand at Ranchi in the case of ***Mayank P.Trivedi and others vs. State of Jharkhand and another.***

c) Finally she argued that in the given circumstances of the case, there was no delay in lodging the FIR since she had to stay in London for about one year and after returning to India, she tried her best to convince the accused, but they did not mend their ways and hence, ultimately she filed the complaint.

6) Learned Assistant Public Prosecutor also argued in similar lines.

7) In the light of the above rival arguments, the point for determination in this petition is:

“Whether there are merits in this petition to allow?”

8) **POINT:** The complaint allegations are already succinctly narrated in para No.2 of this Order. The first and foremost aspect for consideration is whether any tangible incriminating material is available against A.2 to A.4 from the allegations levelled by the complainant. It must be noted that this quash petition was filed not at the initial stage after lodging FIR, but after filing of charge sheet and after trial Court taking protest complaint into cognizance. Therefore, to know whether there is any incriminating material against the petitioners/A.2 to A.4, it is apt to peruse the FIR, 161 Cr.P.C. statements and also the allegations in the protest complaint and sworn statements of the witnesses recorded by the learned Magistrate. Of course, if there are any variations between FIR and 161 Cr.P.C. statements on one hand and protest complaint and sworn statements on the other, the same can be taken into consideration to the required extent.

9) On a careful perusal of the entire relevant record, it must be said that there is a *prima facie* material against A.2 to A.4. The

complainant made allegations touching their specific overtacts rather than making a casual reference against A.2 to A.4. This is evident even from the earlier record i.e., FIR and 161 Cr.P.C statements. Besides the FIR, statements of LW.1—Complainant, LW.2—Niranjani Devi, (the mother of complainant) Lw.3—G.Sunil Kumar(brother of complainant) LW.4—I.Jyosthna Rani (sister of complainant) and most importantly LW.5—J.Sampath Rao and LW.6—G.Alakananda (mediators) would reveal that on the specific demand of A.2 to A.4, the parents of complainant presented Rs.5,00,000/- towards dowry, Rs.1,00,000/- as Adapaduchu Kanukalu, Rs.1,00,000/- for clothes, Rs.2,00,000/- for household articles and 10 Tulas of gold at the time of marriage. Then the FIR and the statements of LWs.1 to 4 would further reveal that after A.1 left for London on 24.05.2009, the complainant resided in the matrimonial home with A.2 to A.4 in V.V.Puram, Bengaluru for about two weeks till second week of June, 2009. During that period, A.2 took away the gold ornaments of complainant on the pretext of preserving them and therefore A.2 made enquiries about the previous employment and earnings of the complainant and also the income of her father and demanded Rs.15,00,000/- as additional dowry on the ground that they spent huge amount for education and employment of A.1 and unless the said amount was paid by the complainant and her parents, she would not allow her to live with A.1 at London. It is further alleged that when complainant informed this fact to A.3 and A.4. they supported A.2 and told that if the additional dowry of Rs.15,00,000/- was not paid, she had to face severe repercussions. When the complainant informed about their demand to her parents, her father became depressed and went into Coma and died on 24.07.2009. When further allegations are considered, on 22.11.2009 the complainant went to Manchester, A.1 did not turn up to Airport and respond to her phone calls and she was left forlorned in the Airport. So, she had to take shelter in the house of her friend Smt.Shuba. It is then alleged that when the complainant telephoned to A.2 and informed her travails, she replied that she knew the said fact and unless she paid the additional dowry of Rs.15,00,000/-, her son would not allow her to reside with him. The

further allegations are that after the complainant returned to India on 27.07.2011 having been rejected by her husband, her brothers and sister i.e., LWs.3, 6 and G. Anil went to Bengaluru and questioned the attitude of A.1 A.2 to A.4 supported A.1 and curtly told that till additional dowry of Rs.15,00,000/- was paid, A.1 would not cohabit with the complainant. These are the allegations against A.2 to A.4.

a) In view of the aforesaid specific overtacts attributed against them, it cannot be said that their names are referred only to rope in them. As rightly pointed out by the complainant, unfortunately the Police referred only interested statements of LWs. 7 to 9, who are the relations of the accused and mentioned in the charge sheet as if the complainant never resided in matrimonial home and so the question of A.2 to A.4 harassing her does not arise and no case was made out against them. On the other hand, the statements of LWs. 1 to 6 clearly picturizes the harassment and cruelty meted out by A.2 to A.4. The trial Court rightly took cognizance of the case against A.2 to A.4.

10) In this context, the decisions cited on behalf of petitioners will not come to their aid:

a) In **Preeti Gupta's** case (1 supra), Hon'ble Apex Court deprecated the practise of complainants roping in as many relations of the husband as possible on the allegation of harassment even when some of them had been living in different cities and never visited or rarely visited the place where the complainant/wife resided. The Apex Court signalled a note of caution that such allegations of the complainant are required to be scrutinised with care and circumspection.

b) In **Geeta Mehrotra's** case (2 supra) also the Apex Court once again cautioned against similar situation mentioned supra. It observed that the petitioners namely Geetha Mehrotra and Ramji Mehrotra were concerned, except a casual reference of their names in the FIR, no allegations of their active involvement in the matter was made and hence, there would not be a justification in taking cognizance against them.

c) In **Cheeli Asirvadam's** case (3 supra), this High Court while reiterating the observations in **Geeta Mehrotra's** (2 supra) held that in the case on hand no overtacts were alleged against any of the petitioners and no *prima facie* case was made out against them and quashed the proceedings.

d) In **Aruna Bai @ Andalu's** case (4 supra), a learned Judge of this Court while referring **Preeti Gupta's** case observed that in matrimonial cases, there will be a normal tendency to implicate all the close relatives of the husband by the complainant and so merely because certain allegations were made against them, the Court is not supposed to be swayed away by adopting mechanical approach.

e) So, in the above citations, the principles are that in matrimonial cases, generally there will be a tendency on the part of the *de facto* complainant to rope in as many relations of the husband as possible and some times the relations, who are residing at far-off places and having no knowledge or connection with the affairs of the husband and complainant are roped in and so the Courts while dealing with such cases shall show circumspection. There is no demur in the principles laid down in those cases. However, it must be said that the harassment and legal cruelty depends upon the facts of each case. In the instant case, the husband i.e., A.1 left the complainant at the matrimonial home and went away to London and as per the submission of the complainant, she resided with A.2 to A.4 from 24.05.2009 to till second week of June, 2009 and during this period, they have taken away her gold ornaments and also demanded for additional dowry of Rs.15,00,000/- and cautioned that unless she meet their demand, she would not be allowed to live together with her husband at London. The threat was such that her father out of depression went into Coma and died on 24.07.2009. Further, when the complainant went to London and found her husband left her to her fate in the Airport and ignored even subsequently and when she informed this matter to A.2, she coolly replied that she knew those facts and unless the demanded dowry was paid, the attitude of their son would not change. Not only that even after the complainant

returned to India and sent her brothers and sister-in-law to Bengaluru, the accused were not convinced and they left the complainant to her fate. So, these facts if uncontroverted, amply demonstrate the cruelty and harassment meted out by A.2 to A.4. Therefore, it cannot be said that no case is made out against the petitioners.

11) The next contention of the petitioners is with regard to territorial jurisdiction of learned Magistrate to take the case. Their argument is that even if the entire case of the complainant is accepted, no offence is committed at Hanumakonda to confer jurisdiction on the learned Magistrate at Warangal. So, the pertinent question that come up for consideration is whether any part of cause of action has arisen at Hanumakonda, Warangal District to confer jurisdiction on the Magistrate at Warangal. I have already discussed the facts relating to the complaint. They would reveal that initial marriage negotiations were held in the residence of the parents of the complainant at Hanumakonda, where the accused have made demand for dowry and other paraphernalia, which was though burdensome, accepted by the bride's party and paid during the time of marriage at Bengaluru. Of course, the subsequent demand for additional dowry was made by A.2 to A.4 at Bengaluru. That is not the end of the matter. The crucial and cruel part of the offence is that when the complainant all alone went to Manchester with a fond hope that her husband would come and receive her to lead happy conjugal life with her, A.1 betrayed and left to her fate by not attending Airport. It would be shuddering to think what would have happened to complainant had she not had a rescuer in the form of her friend Shuba in London. The facts would further show that subsequently also A.1 did not try to take the complainant to his home and left to the mercy of Shuba. Even A.2 to A.4 also did not convince A.1 to take the complainant to his house. But, on the other hand, when the complainant telephoned to A.2, she replied that until the demand for additional dowry was met, A.1 would not lead conjugal life with her. So, in these circumstances, after waiting for more than one year in London, the complainant had to return to her parental home at Hanumakonda. Not only that when

the brothers and sister-in-law of the complainant went to Bengaluru, A.2 to A.4 did not try to convince A.1 to accept the complainant but they reiterated their earlier demand and they refused to provide shelter to the complainant. All these acts on the part of the accused led the complainant to take shelter in the house of her parents. Therefore, in the peculiar circumstances of the case, the offence of cruelty said to be continued even when the complainant took shelter in the house of her parents. It must be noted that it is not a case of a single instance of demand for some additional dowry and thereby the complainant on her own accord returned to her parental home and then filed a complaint. On the other case, the facts would show that she tried her best to live with her husband, but her husband did not accept her and thereby she was forced to return to her parental home. In these circumstances, the cause of action, which is nothing but a bundle of facts, arise at Hanumakonda also as except Hanumakonda she had no other place to return. Therefore, in the considered view of this Court, the Court at Warangal has jurisdiction to try the offence. The decisions cited by the petitioners have no application to the present facts of the case.

12 a) In **Y. Abraham Ajith's** case (5 supra), the expression "cause of action" has been explained by the Hon'ble Apex Court. It was observed that cause of action consists of a bundle of facts which give cause to enforce the legal inquiry for redress in a Court of law and it must include some act done by the latter since in the absence of an act no cause of action would possibly accrue or would arise. While explaining so, the Hon'ble Apex Court on factual side held that no cause of action arose at Chennai because the entire offence was committed at Nagercoil and the complainant herself left the house of her husband on 15.04.1997 on account of alleged dowry demand by the husband and not even a whisper of allegations about any demand of dowry or commission of an act constituting an offence much-less at Chennai was made. Thus, the cause of action in that case was restricted to Nagercoil but not Chennai.

b) In **Bhura Ram's** case (6 supra), the offences under Sections 498-

A, 406 and 147 were committed in Punjab and so it was observed, merely because the complainant was residing in Ganganagar District of Rajasthan along with material relations, the Court at Rajasthan does not get jurisdiction.

c) In **Amarendu Jyoti's** case (7 supra) also it was held the alleged cruelty took place at Delhi and no part of offence took place in Ambikapur in the state of Chhattisgarh and therefore the Court at Ambikapur had no jurisdiction to try the offences under Section 498-A IPC.

d) It must be said, by facts, in the above cases, the offences were confined to one particular place and they were not continued in another place. However, in the instant case, the marriage negotiations and initial demand of the dowry took place at Hanumakonda and subsequently due to brutal rejection by A.1, the complainant had to return back to the fold of her mother and further, even after her relations went and appraised about her pathetic position, A.2 to A.4 did not accept her to their house at Bengaluru and they did not even chastise A.1 to mend his ways and so in that backdrop, her stay at Hanumakonda cannot be said to be on her volition. Due to these peculiar facts, it cannot be said that the Court at Warangal had no jurisdiction.

13) The next ground raised is the alleged delay in filing the FIR. On perusal of the facts, I find no such delay. The complainant remained at England till 27.07.2011 with the fond hope that there would be a change in the attitude of her husband but when her hope shattered, she came down to India and thereafter her relations went and requested A.2 to A.4, which became futile and subsequently she gave report on 02.02.2012. In this backdrop, there is no delay on the part of the complainant. So at the outset, none of the grounds raised by the petitioners merit consideration.

14) In the result, this Criminal Petition is dismissed.

As a sequel, miscellaneous petitions pending if any shall stand closed.

U. DURGA PRASAD RAO, J

Date: 30.07.2015

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