

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

THURSDAY, THE FOURTH DAY OF JUNE
TWO THOUSAND AND FIFTEEN

PRESENT

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

CRIMINAL PETITION No.854 of 2011

Between:

Mirja Riyasath Yousuf Hussain and 4 others

..... PETITIONERS

AND

The State of A.P.rep.by its

Public Prosecutor and another

.....RESPONDENTS

The Court made the following:

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

CRIMINAL PETITION No.854 of 2011

ORDER:

This criminal petition is filed under Section 482 Cr.P.C to quash the

proceedings in Cr.No.276 of 2010 on the file of the Women Police Station, Charminar (South Zone), Hyderabad, wherein the petitioners are alleged to have committed offences punishable under Section 498-A IPC and under sections 4 & 6 of Dowry Prohibition Act.

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

The 2nd respondent herein gave a complaint to the police alleging offences under Sec.498-A of IPC and under Sections 4 & 6 of Dowry Prohibition Act against the petitioners/accused, and the police registered the same as a case in Cr.No.276 of 2010.

Learned counsel appearing for the petitioners/accused submits that there was talaq between the 1st petitioner and the 2nd respondent prior to the complaint filed by the 2nd respondent and the present complaint is filed only to harass the petitioners with a view to extract money. The learned counsel raised several contentions.

The averments in the complaint are seems to be vague, as there is no specific allegation as to when the demand of additional dowry was made and the nature of the alleged harassment over the said demand.

In the circumstances and as requested by the learned counsel for the petitioner, the investigating agency shall scrupulously follow the procedure and comply with Section 41A Cr.P.C as held by the Apex Court in ***Arnesh Kumar v. State of Bihar and another*** and complete the investigation before taking any coercive steps against the petitioners.

With these observations, the Criminal Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 04.06.2015

Dsr

