

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

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CRIMINAL PETITION No.3024 of 2015

ORDER:

This criminal petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Code') by the petitioner, who is arraigned as accused No.2 in C.C.No.297 of 2013 on the file of XV Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, for the offences punishable under Section 498-A read with 34 I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961, requesting to quash the proceedings in the said calendar case.

2. The facts would reveal that the petitioner subjected her daughter-in-law, who is the 2nd respondent-*de facto* complainant, to ill-treatment, which instances are narrated in the complaint filed by the 2nd respondent and even cognizance was taken and calendar case is pending on the file of XV Additional Chief Metropolitan Magistrate, Nampally, Hyderabad.

3. Heard both sides.

4. Learned counsel for the petitioner submits that no allegations worth the name are made against the petitioner to attract the offence punishable under Section 498-A I.P.C. or Sections 3 and 4 of the Dowry Prohibition Act, 1961, and the case is coming up for appearance of the petitioner herein in the last week of this month. Learned counsel further submits that earlier warrants were issued and she is making her appearance on the date of hearing before the trial Court.

5. Learned Additional Public Prosecutor resisted the request.

6. On perusal of the material placed on record, it is not a fit case where extraordinary jurisdiction of this Court can be exercised under Section 482 of the Code to quash the proceedings against the petitioner in the above calendar case.

7. Accordingly, the criminal petition is dismissed. The petitioner is given liberty to make an application for dispensing with her presence before the trial Court after framing of charges.

8. As a sequel thereto, miscellaneous petitions, if any pending in this petition, shall stand closed.

A. SHANKAR NARAYANA, J

23rd April, 2015

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