

HONOURABLE MRS JUSTICE ANIS

CRIMINAL PETITION No. 14100 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., seeking to quash the proceedings in Cr.No.60 of 2016 on the file of Station House Officer, Women Police Station, Khammam, Khammam District, registered for the offences punishable under Sections 498-A,307 IPC and Sections 3 and 4 of the Dowry Prohibition Act.

The second respondent lodged a complaint before the aforesaid police station alleging that the petitioners herein have harassed her physically and mentally for additional dowry.

The learned Counsel for the petitioners submits that the second respondent lodged similar complaint before the Khammam II Town Police Station and the same was registered as Crime No.119 of 2006 which was ended in acquittal in SC No. 126 of 2007 by the learned Additional Sessions Judge, Khammam, on 7.9.2007. Thereafter the second respondent joined the company of the first petitioner, however, there is no change in the attitude of second respondent and lodged the present complaint once again. It is further submitted that during their wedlock, the first petitioner and second respondent blessed with second son and thereafter the first petitioner got Government

employment and posted him in Haryana State, whereat the second respondent joined the company of the first petitioner. However, after arrival from Haryana, the present complaint was lodged.

Learned Public Prosecutor submits that the police have not yet completed the investigation in the aforesaid crime.

Having heard the learned Counsel on either side and gone through the material available on record, it is obvious that specific allegations were made against the petitioners/Accused Nos. 1 to 4 in the complaint. This is a matter which requires investigation by the police. The truth or otherwise of the allegations can only be decided during course of investigation or trial. I see no ground to interdict the investigation at this stage and quash the first information report.

However, considering the facts and circumstances of the case and as the investigation has not yet been completed, the Criminal Petition is disposed of, directing the investigating agency to proceed with the investigation, however, without arresting the petitioners/Accused Nos.1 to 4 in the above crime, till the investigation is completed and charge sheet is filed. The petitioners/Accused Nos. 1 to 4 shall appear before the investigating agency as and when required/summoned during the

course of investigation and cooperate with the investigating agency for early completion of the investigation.

Miscellaneous petitions pending consideration if any in the Criminal Petition shall stand closed in consequence. No order as to costs.

JUSTICE ANIS

DATED 28TH SEPTEMBER, 2016.
Msnrx

