

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.4091 OF 2012

ORDER:

This petition is preferred the sole accused under Section 482 of Cr.P.C. to quash the proceedings in PRC No.45 of 2010 pending on the file of I Additional Judicial First Class Magistrate, Warangal for the offences under Sections 366, 342, 420, 496 and 506 IPC.

The main allegation against the petitioner herein is that since the victim, who is the daughter of complainant refused to marry him, he harassed her and on 1.5.2010 kidnapped her, forcibly took her to a temple and married her and later he confined her in a room.

Heard and perused the material available on record.

The learned counsel for the petitioner submitted that during the pendency of this petition, the parties have filed a petition for divorce by mutual consent and the same was allowed granting divorce and now they are living separately.

As seen from the record, even prior to lodging of the complaint, there was love affair between the petitioner and the victim girl and that they got married in a temple and they themselves approached the Court seeking protection. In view of the same, the alleged kidnap and other allegations in the complaint are not made out against the petitioner and the impugned proceedings are liable to be quashed.

Accordingly, the Criminal Petition is allowed and the proceedings in PRC No.45 of 2010 pending on the file of I Additional Judicial First Class Magistrate, Warangal are hereby quashed against the petitioner herein.

Pending Miscellaneous petitions, if any, shall stand closed.

JUSTICE RAJA ELANGO

19.09.2016

Tsr

