

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition Nos.2137 and 2140 of 2016

COMMON ORDER:

Since these two criminal petitions arise out of same Crime No.222 of 2015, they are being disposed of by this common order.

These two Criminal Petitions are filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners in Crime No.222 of 2015 on the file of Sattenapalli Town Police Station, Guntur District, registered for the offences punishable under Sections 498 A IPC and Sections 3 and 4 of the Dowry Prohibition Act, whereby the petitioners arrayed as accused.

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

Learned counsel for the petitioners mainly contended that Sattenapalli Police Station has no jurisdiction to investigate into the case, as no cause of action has arose within the jurisdiction of the said police station. Secondly, the 2nd respondent-de facto complainant lodged the complaint after filing of petition for divorce by the husband-first petitioner. He further contended that the allegations made in the complaint do not attract the ingredients of the offences alleged and they are vague in nature.

Considering the facts and circumstances of the case and in view of the submissions made by the learned counsel, this Court is of the view that all these facts have to be decided by the investigating agency during the course of investigation and this Court is not inclined to interfere with the said investigation. However, at this stage, the learned counsel for the petitioners

submits that the petitioners/A-5 and A-6 in Criminal Petition No.2140 of 2016 being aged about 83 and 63 years respectively, are no way connected with the said crime and they are apprehending arrest in view of pendency of the above crime and they are ready to cooperate with the investigation.

Considering the submissions made by the learned counsel, the concerned police are directed to complete the investigation without arresting the petitioners herein and file final report in accordance with law. The petitioners are directed to appear before the Investigating Agency as and when their presence is required, and cooperate with the Investigating Agency. On filing of such final report, the 2nd respondent/de facto complainant is at liberty to recourse to appropriate remedy against the final report, if she is aggrieved by the same

With the above direction, the criminal petition is disposed of. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

RAJA ELANGO, J

Date: 22-02-2016

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