

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.13541 OF 2016

ORDER:

This criminal petition is filed under Section 482 of Cr.P.C to quash the proceedings in F.I.R No.947 of 2016 dated 07.08.2016 pending on the file of the L.B. Nagar L & O Police Station, Cyberabad, for the offences punishable under Sections 420, 506 r/w 34 I.P.C.

The case of the prosecution is that the defacto complainant gave a complaint to the police alleging that he performed the marriage of his daughter Sirisha with the 1st petitioner on 26.08.2007 and after three years of marriage, the 1st petitioner was mentally depressed and started harassing his wife Sirisha physically and mentally. The defacto complainant noticed that the parents of the 1st petitioner suppressed the fact of mental illness and performed the marriage.

It is also brought to the notice of this Court that the wife of the 1st petitioner Sirisha again lodged a complaint with the police on 13.05.2016 against the petitioners and on the strength of the same, the police registered crime against the petitioners for the offences punishable under Sections 420, 506 r/w 34 I.P.C and Section 4 of Dowry Prohibition Act, for the same incident. It appears from the record that the police registered crimes one after the other without even looking at the earlier complaint and it is nothing but abuse of process of law, as held by the Apex Court in **R.P. Kapur v. State of Punjab**¹.

¹ 1960 AIR 862

Therefore, the proceedings in F.I.R No.947 of 2016 dated 07.08.2016 pending on the file of the L.B. Nagar L & O Police Station, Cyberabad are quashed.

Accordingly, the criminal petition is allowed. No costs.

Consequently, miscellaneous petitions pending, if any, shall also stand closed.

JUSTICE M. SATYANARAYANA MURTHY

Date:27.10.2016
SP

