

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.7116 of 2016

ORDER

This petition under Section 482 Cr.P.C. is filed by the petitioners/respondents 1 and 2 seeking to quash the proceedings in D.V.C.No.69 of 2015 on the file of V Additional Judicial First Class Magistrate, Rajahmundry, against them.

2. It is alleged in the complaint that the first petitioner/R1 along with the other respondents in DVC used to harass his wife, i.e., 2nd respondent herein, mentally and physically by demanding additional dowry and he also had illicit intimacy with the 4th respondent in DVC, thereby subjected her to domestic violence.

3. Perusal of the complaint shows that there are serious allegations against the petitioners/respondents 1 and 2. Therefore, it is not a fit case where the proceedings against them can be quashed. Truth or otherwise of the allegations can only be decided during the course of trial. However, considering the facts and circumstances of the case and as the second petitioner is aged person, the Court below is directed to proceed with the enquiry in DVC, without insisting the presence of the second petitioner/respondent No.2 for each and every date of adjournment, unless it feels that her presence is necessary for any specific purpose.

4. With the above direction, the Criminal Petition is disposed of. Miscellaneous applications, if any, pending in this petition shall stand closed.

M.S.K.JAISWAL,J

2nd June, 2016

sj