

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.45007 OF 2016

ORDER:

The present writ petition is filed by the petitioners seeking to quash the proceedings in CC No.408 of 2012 on the file of the Judicial Magistrate of First Class, Metpally, Karimnagar District, and consequently, quash the proceedings in the above case.

Heard and perused the material available on record.

On the basis of the complaint lodged by the wife of the 1st petitioner, Crime No.77 of 2012 was registered against the petitioners for the offences under Sections 498-A IPC and 4 of the Dowry Prohibition Act before the 2nd respondent. After completion of the investigation, the 2nd respondent filed charge sheet and the same was numbered as CC No.408 of 2012 on the file of the Judicial Magistrate of First Class, Metpally, Karimnagar District. Challenging the same, the present writ petition is filed.

On perusal of the entire record, this Court is of the view that the present writ petition is not maintainable and the petitioners can challenge the charge sheet filed in the above case, by way of filing a discharge application before the Court concerned. At this stage, learned counsel for the petitioners confined his prayer and submitted that the petitioners may be permitted to file discharge application before the Court below and also prayed for dispensing with the presence of the petitioners before the Court below.

Considering the submission of the learned counsel for the petitioners, the petitioners are permitted to file a discharge application

before the Court concerned, and till disposal of the discharge application, the presence of the petitioners is dispensed with before the Court concerned.

Accordingly, the Writ Petition is disposed of. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

December 23, 2016
KTL



