

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT

CRLP.NOS.12398 AND 12399 OF 2013

COMMON ORDER

The 2nd respondent in both the petitions is the de facto complainant. She lodged complaint in FIR/ Crime No.777 of 2013 on the file of Banjara Hills Police Station, Hyderabad against the accused 1 to 5 for the offences punishable under Sections 498-A of IPC and Sections 4 and 6 of Dowry Prohibition Act. Accused 3 and 5 filed CrI.P.No.12399/2013 under Section 482 Cr.P.C., for quashing the proceedings. Similarly, the accused No.5 filed CrI.P.No.12398 of 2013 for quashing the said crime.

2. The learned counsel appearing for the petitioners submit that A-5 was staying at Poona at the relevant time. A-3 who is the sister-in-law of the informant, was working as lecturer in a Polytechnic College at Karimnagar and A-4, who is the husband of A-3, was working as Doctor at Manchiryal, Adilabad District at the relevant. The employers of A-3 and A-4 also issued certificates to that effect. Therefore, as the allegations made against the petitioners / A-3 to A-5, are without any basis, the petitions under Section 482 Cr.P.C. have been filed for quashing the proceedings against them.

3. The present petitions were filed before filing of the charge sheet. As per the submissions of the learned Additional Public Prosecutor, charge sheet has been filed on 20.12.2014 and case is numbered as C.C.No.67/2012015 on the file of XIII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad and charges are to be framed.

4. At this stage, the learned counsel for the petitioners in both the petitions, on instructions, submitted that he may be permitted to withdraw

the criminal petitions and the trial court may be directed to dispose of the case within certain time.

5. Keeping in view the averments made in the present petitions and the submissions of the learned counsel, since the charges are not yet framed, before framing charges, the trial court shall give an opportunity of hearing to the petitioners and pass order in accordance with law. If the petitioners are aggrieved, they are at liberty to challenge the same before appropriate forum as per law.

6. With the above direction, the criminal petitions are disposed of.



SURESH KUMAR KAIT,J

DATE:16.11.2016

AVS