

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38665 OF 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of Certiorari quashing C.C.No.26 of 2014 on the file of the Hon'ble XIII Additional Chief Metropolitan Magistrate, Hyderabad.

Heard and perused the material.

Learned counsel for the petitioners submits that the allegations made against the petitioners herein does not constitute the offences much less the offences under Sections 406 and 498-A IPC and Sections 4 and 6 of the Dowry Prohibition Act. He further submits that the third respondent never interested in leading marital life with the first petitioner herein and as such, the petitioners have not committed any of the offences alleged as against them. Hence, he prays this Court to quash the C.C.No.26 of 2014.

Considering the facts and circumstances of the case, this Court is not inclined to quash the C.C.No.26 of 2014. At this stage, learned counsel for the petitioners submits that the presence of the petitioners before the Court below may be dispensed with. Hence, the petitioners are directed to file an application before the Court below seeking to dispense with their presence and on such application being filed, the Court below is directed to consider the application and pass appropriate orders.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

10.11.2016
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