

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.2160 OF 2016

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ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner-accused No.1 seeking to quash the proceedings in FIR No.123 of 2016 of Banjara Hills Police Station, Hyderabad, registered for the offences punishable under Sections 420 and 493 IPC.

Heard the learned counsel for the petitioners and the learned Public Prosecutor and perused the material available on record.

The petitioner and the de facto complainant had a proposal to get marriage and also fixed the date for engagement and the marriage. Thereafter, the petitioner used to call the de facto complainant to his room and has sexual relationship with her under the guise of marriage proposal and thereafter, he cancelled the marriage.

Learned counsel for the petitioner submitted that the marriage between the petitioner and the de facto complainant was fixed by the elders of both sides, but before getting engagement, he cancelled the marriage proposal due to the behaviour of the de facto complainant.

The truth or otherwise of the said allegations can be ascertained by the investigating agency during the course of investigation. Therefore, this Court is not inclined to interfere with the proceedings against the petitioner. At this stage, learned counsel for the petitioner submitted that the police are making phone calls to him and compelling him to marry the de facto complainant and also threatening him to arrest.

In view of the above, the police concerned are directed to complete the investigation without arresting the petitioner and file

final report, if any, in accordance with law. The petitioner is directed to appear before the Investigating Agency as and when his presence is required, and cooperate with the Investigating Agency.

With the above directions, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending if any, shall stand closed.

RAJA ELANGO, J

February 22, 2016.

KTL