

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2494 of 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in crime No.14 of 2016 on the file of the Nellore VI Town Police Station, SPSR Nellore District, registered for the offence under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act.

Heard and perused the material.

The case is registered on the basis of the reference made under Section 156(3) of the Code of Criminal Procedure. The learned Magistrate has not followed the procedure as per the directions of the Hon'ble apex Court, while referring the case under Section 156(3) CrPC. Further, the earlier case arising out of an offence under Section 498-A IPC is stayed by this Court. The second respondent/complainant's daughter also obtained divorce and married another person, who stayed in United States of America.

Considering the facts and circumstances of the case and as the case is arising out of matrimonial disputes, the police are directed to complete the investigation without arresting the petitioners and file final report, if any, in accordance with law. The police are directed to issue notice to the petitioners for their appearance for the purpose of investigation and the petitioners are also directed to appear and cooperate with the investigating agency. The petitioners are also directed to submit an Undertaking for their future appearance for the purpose of investigation.

The Criminal Petition is accordingly disposed of. Miscellaneous Petitions filed in this Criminal Petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

25.02.2016
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