

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.9761 of 2016

ORDER:

This petition under Section 482 Cr.P.C., is filed by the petitioner/respondent No.2 seeking to quash the proceedings in D.V.C.No.20 of 2015 on the file of X Metropolitan Magistrate, Cyberabad, Malkajgiri, Ranga Reddy District.

2. It is alleged in the complaint that respondent No.2 herein/ *de facto* complainant is the legally wedded wife of Cheboina Hari Krishna and their marriage was performed on 17.03.2006 at Arya Samaj, Raichur, Karnataka, and it is a love marriage. After the marriage, they lived happily for a period of six months. During their wedlock, they were blessed with a male child. Since the inception, the petitioner/respondent No.2 and her sister-in-law Smt Uma in DVC have been harassing her both mentally and physically for additional dowry and also humiliated and abused her by using her caste name and thereby subjected her to domestic violence.

3. Perusal of the complaint shows that there are serious allegations against the petitioner/respondent No.2. Therefore, it is not a fit case where the proceedings against the petitioner can be quashed. Truth or otherwise of the allegations can only be decided during the course of trial. However, considering the facts and circumstances of the case, the Court below is directed to proceed with the enquiry in DVC without insisting the presence of the petitioner/respondent No.2 on each and every date of adjournment, unless it feels that her presence is necessary for any specific purpose.

4. With the above direction, the Criminal Petition is disposed of. Miscellaneous applications, if any, pending in this petition shall stand closed.

M.S.K.JAISWAL,J

Date: 08.07.2016

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