

HON'BLE Smt JUSTICE ANIS

CRIMINAL PETITION No.14136 of 2015

ORDER:

This Criminal Petition is filed by the petitioners, under Section 482 Cr.P.C, seeking quashment of proceedings in D.V.C.No.20 of 2016 on the file of VI Metropolitan Magistrate, Cyberabad, Medchal.

Petitioner Nos.1 and 2 are the in-laws and petitioner No.3 is brother in law of respondent No.2 – *de facto* complainant. Respondent No.2 – *de facto* complainant filed D.V.C.No.20 of 2016 against her husband – A.1 and petitioners herein. Petitioners states that respondent No.2 – complainant filed DVC with false allegations. Even the minor daughter of respondent No.2 is in the custody of A.1 and petitioners are looking after the welfare of the child.

Learned Public Prosecutor appearing for the State opposed to quash the proceedings on the ground that the truth or otherwise of the allegations can be gone into only during the course of trial; and, therefore, prayed to dismiss the petition.

The truth or otherwise of the allegations made in the complaint can be gone into only during the course of trial and, since the matter is coming up for trial, the trial has not, as yet, commenced, this Court is not inclined to quash the proceedings in D.V.C.

Taking into consideration the facts and circumstances of the case, the presence of the petitioners before the Court below is dispensed with except on the dates when their presence is specifically required by the Court, or as and when summoned by the Court.

With the aforesaid observation, the Criminal Petition is dismissed. Miscellaneous petitions pending, if any, shall also stand dismissed.

ANIS,J

Date:29.09.2016
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