

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.4438 OF 2013

ORDER:

Heard learned counsel for the petitioners/ A.1 to A.7. The de facto complainant ever served, failed to attend.

02. The petitioners are A.1 to A.7 in C.C. No.274 of 2012 pending on the file of XIII Additional Chief Metropolitan Magistrate (Mahila Court) at Nampally, Hyderabad, where the learned Magistrate taken cognizance from the police final report for the offences under Sections 498-A, 406, 506 and 342 IPC and Sections 3 and 4 of DP Act, which is out come of Crime No.28 of 2011 of CID, WPC, Hyderabad, on the report of the second respondent/ de facto complainant, no other than the wife of A.1, daughter-in-law of A.2 and A.3 and sister-in-law of A.4 to A.6 and A.7 is neither relative of the husband nor related to any of the parties but for shown as one of the mediators for the arrangement of marriage. Needless to say the other mediators even referred in the complaint but not as accused, but for saying the allegation against A.7 that before the marriage and after engagement for not giving first invitation he abused the parents of the de facto complainant. It is the only allegation against A.7.

03. Coming to the other allegations against A.4 to A.6, brothers-in-law and married sister but for a stray sentence of they supported A.1, there is nothing.

04. So far as the allegation against A.1 concerned, the main perpetrator and accused from reading of the very report of the de facto complainant besides her statement during investigation covered by part-II CD, the parents-in-law and sister-in-law abetted A.1 to harass the de facto complainant and A.1 also threatening the de facto complainant with ill

treatment saying after giving divorce she should die or else he will do away her life and they also supported the words of A.1, he may do away her life and not even preventing the perpetrator from the allegations to the crime committed by A.1. The other allegations are before marriage, it is pretended A.1 was a post graduate in MCA whereas she came to know after marriage that he completed only distance diploma course, in fact, she did not produce, even from the police investigation as enclosure, any of his certificates, only police investigation go to show and perusal of the divorce petition.

05. Having regard to the above, it shows that A.4 to A.7 also roped for reasons better known by engineering some more allegations by the de facto complainant and there is no sustainable cognizance case from the investigation to survive so far as A.4 to A.7 concerned, but for against A.1 to A.3.

06. Hence, the criminal petition is allowed in part so far as the petitioners 4 to 7 / A.4 to A.7 and quashed the proceedings in C.C. No.274 of 2012 on the file of XIII Additional Chief Metropolitan Magistrate (Mahila Court) at Nampally, Hyderabad. The criminal petition is dismissed against the petitioners 1 to 3/ A.1 to A.3. Needless to say from the age of A.2 and A.3/ petitioners 2 and 3, they are given liberty to move under Rule 37 of the Criminal Rules of Practice for representing through A.1, for regular adjournments subject to condition of personal appearance as and when required.

07. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

10.02.2016
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