

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.2489 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioners/A-5 seeking to quash the proceedings in C.C.No.81 of 2016 on the file of the VII Additional Judicial Magistrate of First Class, Rajahmundry, East Godavari District.

2. Heard and perused the material available on record.
3. The offences alleged against the petitioner are punishable under Sections 498-A, 506 and 109 read with 34 I.P.C. and Section 4 of the Dowry Prohibition Act, 1961.
4. Learned counsel for the petitioner/A-5 contended that the petitioner is not a relative to the accused and she is only a family friend to the accused and she played an active role in performing the marriage of respondent No.2 with A-1; that the petitioner is a married woman and having a kid and she is a resident of Yelamanchili and no way connected with the alleged allegations and that she is falsely implicated in this case.
5. Admittedly, the petitioner is not related to A-1, who is the husband of respondent No.2. The allegations are also not so serious in nature. Considering the same, this Court is of the view that pendency of the case amounts to abuse of process of law and hence, it is a fit case to quash the proceedings against the petitioner.
6. Accordingly, the Criminal Petition is allowed quashing the proceedings against the petitioner/A-5 in C.C.No.81 of 2016 on the file of the VII Additional Judicial Magistrate of First Class, Rajahmundry,

East Godavari District. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

28.3.2016

AMD

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Date: 28.3.2016

AMD