

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

CRIMINAL PETITION No.7034 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in D.V.C.No.7 of 2016 on the file of the Judicial Magistrate of First Class, Mahabubnagar.

Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor, representing the State.

The allegations are that the 2nd respondent was married to the non-petitioner/1st respondent in DVC and in so far as the petitioners are concerned, 1st petitioner is said to have been acted as an elder and signed as witness in Talaknama given by the husband of the 2nd respondent, and petitioners 2 and 3 are sister-in-laws of the 2nd respondent. The allegations of the complaint show that the petitioners and the non-petitioner/husband subjected the 2nd respondent/wife to harassment and cruel treatment to meet their unlawful demands.

Perusal of the complaint shows that *prima facie* it cannot be said that there is no material to proceed against the petitioners/respondents 2 to 4. Therefore, it is not a fit case where the proceedings against them can be quashed. The truth or otherwise of the allegations can only be decided during course of trial.

The Criminal Petition is accordingly dismissed. However, as the 1st petitioner is aged person and petitioners 2 and 3 are sister and co-sister of the non-petitioner/1st respondent-husband, and considering the circumstances, the Court below is directed to proceed with the enquiry in DVC, however, without insisting for the presence of the petitioners/respondents 2 to 4 in DVC for each and every adjournment, unless it feels that their physical presence is necessary

for any specific purpose.

Pending miscellaneous applications, if any, shall stand closed
in consequence.

M.S.K.JAISWAL,J

Date: 01.06.2016

Dsr