

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.616 OF 2014
ORDER:

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This Criminal Petition is filed by the accused No.2 under Section 482 of Cr.P.C. seeking to quash the proceedings in C.C.No.258 of 2013 pending on the file of V Additional Judicial First Class Magistrate, Kakinada, East Godavari District for the offences under Sections 498-A and 114 IPC.

Heard and perused the material available on record.

The petitioner herein is not related to A.1, who is the husband of the de facto complainant-first respondent herein. In the complaint, the allegation against the petitioner herein is that she is the concubine of A.1. If the allegation in the complaint is accepted, even a concubine cannot be prosecuted for an offence under Section 498-A IPC. Hence, the impugned proceedings are liable to be quashed as against the petitioner herein.

In the result, the Criminal Petition is allowed and the proceedings in C.C.No.258 of 2013 pending on the file of V Additional Judicial First Class Magistrate, Kakinada, East Godavari District are hereby quashed as against the petitioner herein.

Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

06.04.2016

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