

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.14562 OF 2016

ORDER:

This petition is filed under Section 482 of Criminal Procedure Code (for short "Cr.P.C.") to quash the proceedings in Crime No.70 of 2016 on the file of Women Police Station, Kurnool, registered for the offences punishable under Sections 498-A, 323 and 506 read with 34 of Indian Penal Code (for short "I.P.C.") and under Section 4 and 6 of Dowry Prohibition Act.

Petitioner No.1 is the husband and petitioner Nos.2 to 5 are closely related. The specific allegations made by the defacto complainant against the petitioners in the complaint are as follows:

"They accepted me on the condition that I should not go to my parent's home, neither should they come to meet me and also not meet any of my relations till death. From the day I went back, I was harassed, humiliated, tortured and threatened me to be divorced (talaq) by my husband. My mother-in-law Tasleem Banu and brother-in-law Syed Tayeb, provoked my husband to beat me. My brother-in-law Tayeb hold my hands. So, that not allowing me to defined myself.

When I tried going out to my parents, Taher heated spoon and burnt my skin. Tayeb hit me with belt, my husband thrashed me with legs. My mother-in-law, Syeda Tasleem Banu put kerosene on me and my father-in-law, Syed Meeran Mohiuddin threatened me that they will kill me and my daughter, if I again try to go to my parent's home. I was bleeding from nose and mouth that night and most of the time they beat me."

On the basis of the said allegations, police registered the crime. Therefore, allegations made in the complaint constitute an

offence punishable under Section 498-A of I.P.C., *prima facie*, if proved; the truth or otherwise of the allegations cannot be gone into in a petition filed under Section 482 of Cr.P.C. Hence, I find *prima facie* material against the petitioners for the offences referred above and it is not a fit case to quash the proceedings in Crime No.70 of 2016 on the file of Women Police Station, Kurnool.

In the result, the petition is dismissed. No costs.

The miscellaneous petitions pending, if any, shall also stand closed.

Date:17.10.2016
Ksp



JUSTICE M. SATYANARAYANA MURTHY