

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3691 of 2016

ORDER:

The Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner seeking to quash the proceedings in C.C.No.949 of 2015 on the file of the XXV Metropolitan Magistrate, Kukatpally at Miyapur, Cyberabad, arising out of offences under Sections 498-A, 109 and 506 IPC and Sections 3 and 4 of the Dowry Prohibition Act.

Heard and perused the material available on record.

Learned counsel for the petitioner/A.2 submits that the entire allegations are against A.1 only and that the petitioner herein is not concerned with the presence crime. He further submits that even in the complaint also, it is stated that one Mr.Bharath has threatened the complainant with dire consequences and also to kill her.

Learned counsel for the petitioner produced all the statements of the witnesses. On reading the entire complaint and also the statement of the complainant (LW.1), this Court is of the view that there are no allegations against the petitioner herein and that one Mr.Bharat threatened the complainant over phone when she requested the petitioner herein to leave her husband over phone. Hence, in the absence of specific allegations against the petitioner herein, it cannot be held that the petitioner has committed any offence and as such, the proceedings initiated against the petitioner herein are liable to be quashed.

The criminal petition is accordingly allowed and the proceedings in C.C.No.949 of 2015 on the file of the XXV Metropolitan Magistrate, Kukatpally at Miyapur, Cyberabad, are hereby quashed and the petitioner is acquitted of the offences alleged against her.

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

JUSTICE RAJA ELANGO

12.04.2016
pln