

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.16374 of 2014

ORDER:

This criminal petition is filed under Section 482 of Cr.PC to quash the proceedings against the petitioners/A1 to A4 in Crime No.90 of 2014 on the file of the Station House Officer, Women Police Station, Vikarabad, Ranga Reddy District registered for the offences under Sections 498A and 506 IPC and Sections 3 and 4 of Dowry Prohibition Act.

2. Heard the learned counsel for the petitioners and learned Public Prosecutor representing the State.

3. The petitioners are A1 to A4 and second respondent is *de facto* complainant in Crime No.90 of 2014. A perusal of the record reveals that the marriage of the second respondent was performed with one Vanam Satish Kumar, son of petitioner Nos.1 and 2/A1 and A2, on 27.11.2005 at Vikarabad as per Hindu rites and caste customs. Out of lawful wedlock, they were blessed with two female children. On 17.3.2013 Satish Kumar committed suicide. As per the allegations made in the complaint, the petitioners herein subjected the second respondent to cruelty for additional dowry. It is further alleged that the petitioners threatened the second respondent with dire consequences. Whether the petitioners have committed the alleged offences or not will come to light during the course of investigation.

4. It is a settled principle of law that the Court has to take into consideration the allegations made in the complaint while exercising the inherent power under Section 482 Cr.P.C., in order to quash the proceedings. The allegations made in the complaint are *prima facie* sufficient to investigate into the matter.

5. Having regard to the facts and circumstances of the case and also the principle enunciated in **R.P.Kapoor v. State of Punjab**^[1], State

of Haryana v. Bhajan Lal^[2], V.Y. Jose V State of Gurajat^[3] and Teeja Devi v. State of Rajasthan^[4], I am of the considered view that this is not a fit case to quash the criminal proceedings at the threshold.

6. The learned counsel for the petitioners submitted that the concerned Station House Officer may be directed not to arrest the petitioners. Having regard to the facts and circumstances of the case, the Station House Officer, Women Police Station, Vikarabad is hereby directed not to arrest the petitioners/A1 to A4 till completion of the investigation in Crime No.90 of 2014.

7. With the above direction, criminal petition is dismissed. Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

T.SUNIL CHOWDARY, J.

January 20, 2016.

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^[1] AIR 1960 SC 866

^[2] AIR 1992 SC 604

^[3] (2009) 3 SCC 78

^[4] 2015 (1) ACR 564 (SC)