

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.6869 of 2015

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-1 to A-5 in C.C.No.239 of 2015 on the file of Judicial First Class Magistrate, at Ramannapet, Nalgonda District arising out of private complaint filed for the offences punishable under Section 323 and 504 IPC.

Heard the learned counsel for the petitioners and perused the material on record.

A perusal of the material on record would reveal that there are criminal cases pending between the petitioners/accused and the de facto complainant and others. It is evident that a case in C.C.No.350 of 2013 was pending on the file of Judicial Magistrate of First Class, Ramannapet, wherein the 2nd respondent/de facto complainant herein was arrayed as A-2, being the mother-in-law of daughter of the petitioners herein, along with other accused and the petitioners herein were shown as prosecution witnesses along with others. C.C.No.350 of 2013 arose out of matrimonial dispute concerning the harassment and cruelty for additional dowry. It is to be noted that both the cases were arose in between the family members of the petitioners as well as the de facto complainant herein. It may be noted that both the cases were instituted against the family members of both the parties in order to wreck vengeance. Anyway, whether the alleged offences have been committed by the petitioners or not is a matter to be decided by the trial court where the case is pending, since there are specific overt acts are attributed to the petitioners, in which case, this

Court will not interfere invoking the jurisdiction under Section 482 Cr.P.C., as the jurisdiction under the said provision is very limited and restricted.

Having regard to the facts and circumstances of the cases and in view of the nature of the offences alleged against the petitioners, this Court feels that it is not a fit case to quash proceedings at this stage, and hence, the criminal petition is liable to be dismissed.

Accordingly, the criminal petition is dismissed. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

RAJA ELANGO, J

Date: 23-03-2016

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