

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.4382 of 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in crime No.115 of 2016 on the file of the Ghatkeshwar Police Station, Cyberabad, Ranga Reddy District, registered for the offences under Sections 498-A, 406 and 494 IPC and Sections 3 and 4 of the Dowry Prohibition Act.

Heard and perused the material.

On perusal of the entire material available on record, *prima facie* there are allegations against the petitioners, which are to be investigated into by the police. Hence, this Court is not inclined to quash the impugned proceedings at this stage.

The case is registered on the basis of the reference made under Section 156(3) of the Code of Criminal Procedure. The learned Magistrate has not followed the procedure as per the directions of the Hon'ble apex Court, while referring the case under Section 156(3) CrPC.

Considering the fact that the case is arising out of matrimonial disputes, the police are directed to complete the investigation without arresting the petitioners and file final report, if any, in accordance with law. The police are directed to issue notice to the petitioners for their appearance for the purpose of investigation and the petitioners are also directed to appear and cooperate with the investigating agency. The petitioners are also directed to submit an Undertaking for their future appearance for the purpose of investigation.

The Criminal Petition is accordingly disposed of. Miscellaneous Petitions pending in this Criminal Petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

01.04.2016
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