

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.6724 of 2011

ORDER:

The criminal petition is filed seeking for quash of the proceedings in SC.No.49 of 2009 in Cr.No.155 of 2007 on the file of the Assistant Sessions Judge (Sub Court), Vikarabad, Ranga Reddy District against the petitioners, who are A2 to A14.

2. Heard counsel for the petitioners, learned counsel for respondents 2 and 3 and the learned Public Prosecutor, who takes notice for the first respondent.

3. The offences for which the accused are booked are under Sections 366 read with 109 of the Indian Penal Code. The complaint is lodged by the victim herself. It makes specific allegations with regard to the inducement of marriage between herself and A1. According to her narration, A1 has taken her forcibly to the house of his maternal uncle one Srinivas, who is A2 and from there she was taken in a car by A1 and his brother one Satish and his friends. She mentions the names of all the friends of Satish, who are none other than the accused herein.

4. The counsel for the petitioners contends that absolutely a false complaint is lodged against the accused and that the photographs would show that she willingly married A1.

5. However, at this stage, the genuinity of the photographs cannot be adjudged. Unless trial is conducted and truth comes out, no finding can be rendered on the genuinity of the photographs. However, from

the averments of the complaint and 164 statement recorded from the complainant, it can be said that continuation of further proceedings in respect of A2 would only result in abuse of process of law, as except stating that she was taken to his house, there is no other allegation made against him with regard to the alleged offence.

Hence, the criminal petition is partly allowed and further proceedings in SC.No.49 of 2009 in Cr.No.155 of 2007 on the file of the Assistant Sessions Judge (Sub Court), Vikarabad, Ranga Reddy District against A2 are hereby quashed and in respect of the other petitioners/accused the petition is dismissed. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

December 12, 2017
DSK

T. RAJANI, J

