

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION Nos.1539 AND 1540 OF 2017

COMMON ORDER:

These Criminal Petitions, under Section 482 of the Code of Criminal Procedure, 1973, are filed seeking to quash the proceedings in D.V.C.No.2 of 2016 on the file of Additional Judicial Magistrate of First Class, Tiruvuru, Krishna District.

2. Petitioner Nos.1 to 3 in the former petition, arraigned as respondent Nos.1 to 3 in the D.V.C., are husband, mother-in-law and sister-in-law of respondent No.1 – *de facto* complainant, whereas petitioner No.4 in the former petition and the petitioner in the latter petition, arraigned as respondent Nos.4 and 5 in the D.V.C., are strangers.

3. Sri M.M.M. Srinivasa Rao and Sri M.V. Hanumantha Rao, learned counsel for the petitioners, would plead innocence and false implication of the petitioners, besides pleading that on the complaint given by respondent No.1, P.R.C.No.16 of 2016 was registered on the file of very same Court, where the D.V.C. is pending, and she has also filed M.C.No.32 of 2016 on the file of very same Court and, therefore, seek to quash the proceedings in the D.V.C.

4. It is not a case for quashment at this stage, as there is no concrete material to quash the proceedings, but, however, learned counsel for the petitioners would confine the request for dispensing

with the presence of petitioner Nos.2 to 4 in the former petition viz., Smt. Thokala Prameela, Smt. Sari Anitha and Sri Borugadda Bujangarao @ Vasu, and the petitioner in the latter petition viz., Smt. Singavarapu Vennela, for the reason, petitioner Nos.2 and 3 are mother-in-law and sister-in-law of respondent No.1, whereas petitioner No.4 in the former petition and the petitioner in the latter petition are strangers to the proceedings.

5. Hence, the presence of petitioner Nos.2 to 4 in the former petition, who are respondent Nos.2, 3 and 5 in the D.V.C., and the petitioner in the latter petition, who is respondent No.4 in the D.V.C., is dispensed with during pendency of the proceedings, but, however, they shall appear before the learned Magistrate as and when directed by him. Petitioner No.1 in the former petition, who is respondent No.1 in the D.V.C., shall appear, on his behalf and also on behalf of respondent Nos.2 to 5 in the D.V.C., before the learned Magistrate during trial.

6. Accordingly, the Criminal Petitions are disposed of. Miscellaneous Petitions, if any, pending in these Criminal Petitions, shall stand closed.

A. SHANKAR NARAYANA, J

February 27, 2017.
MD