

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.2963 OF 2017

ORDER:

The present Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Code') requesting to quash the First Information Report (FIR) in Crime No.68 of 2017 of Nirmal Town Police Station, Nirmal District, Telangana State.

2. The petitioners are arraigned as accused Nos.2 and 3 respectively, in the aforesaid crime. They along with accused No.1 alleged to have committed the offences punishable under Section 498A of IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

3. Heard Sri Nazeer Khan, learned counsel for the petitioners and the learned Additional Public Prosecutor for the State of Telangana.

4. It is submitted by the learned counsel for the petitioners that there are no concrete allegations to view dowry demand or acts of harassment on the part of the petitioners; respondent No.2 - *de facto* complainant deliberately implicated them and, therefore, he sought to quash the FIR in the aforesaid Crime.

5. Perused the complaint and material available on record.

6. The *de facto* complainant has specifically alleged in the complaint that when her husband was working in Saudi Arabia, petitioner No.1 - accused No.2, who is brother of her husband, used to fight with her and comment at her that she was not cooking well, and petitioner No.2 - accused No.3, who is her sister-in-law residing in the adjacent house, used to come and quarrel with her and both of them used to phone to her husband and instigate him by telling all lies against her and her husband used to scold her over phone and later she learnt that her husband visited India on 17.02.2017. Thus, there are *prima facie* allegations even at this stage to proceed with the investigation to unravel the truth in the allegations levelled against the petitioners.

Therefore, the Criminal Petition is dismissed, at the stage of admission itself. As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition stand closed.

A. SHANKAR NARAYANA, J

April 20, 2017.

Mgr