

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION NO. 8258 of 2017

ORDER :

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973, seeking to quash C.C.No.124 of 2017 on the file of the Additional Junior Civil Judge, Piduguralla. The charge sheet came to be filed against the petitioners and others for the offences punishable under Sections 498-A read with Section 34 of IPC and Sections 3 and 4 of Dowry Prohibition Act.

Though various grounds are raised, the learned counsel for the petitioners seeks permission to withdraw the criminal petition with a liberty to file an application seeking discharge and seeks a direction to the trial Court not to insist on the presence of the petitioner Nos.2 to 4 on every date of adjournment. It is further stated that there is no dispute with regard to the identity of the petitioner Nos.2 to 4. The same is not disputed by the Learned Additional Public Prosecutor.

In *Rajesh Sharma & Others Vs. State of U.P. & Another* {CrI.A.1265 of 2017 (SLP (CrI.) No.2013 of 2017)}, the Apex Court, while dealing with matrimonial offences, observed as under:

“19(i) to vi....

vii) Personal appearance of all family members and particularly outstation members may not be required and the trial court ought to grant exemption from personal appearance or permit appearance by video conferencing without adversely affecting progress of the trial.”

The criminal petition is dismissed as withdrawn by granting liberty as prayed for. However, having regard to the circumstances stated above; in view of the judgment referred to above and taking into consideration the plea made, the presence of the petitioner Nos.2 to 4, who are A2 to A4 in C.C.No.124 of 2017 on the file of the Additional Junior Civil Judge, Piduguralla, is dispensed with except on the dates when their presence is specifically required by the trial Court.

Consequently, miscellaneous petitions, if any pending, shall stand closed.

19.09.2017
vnb



JUSTICE C. PRAVEEN KUMAR