

HONOURABLE SRI JUSTICE N. BALAYOGI

CRIMINAL PETITION No.6451 of 2011

ORDER:

1. This application is filed by the petitioner-A1 under Section 482 Cr.P.C., seeking to quash the proceedings in C.C.No.542 of 2010 on the file of the XIII Additional Chief Metropolitan Magistrate, Hyderabad.

2. The contention of the petitioner is that absolutely, there are no specific overt acts attributed to the petitioner herein in the entire charge sheet and that the complaint is that the petitioner-A1 at the instance of A2 to A4 and A8 harassed the complainant demanding additional dowry and that the case against A3 to A11 was quashed whereas the petition filed by A2 was dismissed.

3. The learned Public Prosecutor contended that there is specific allegation against the petitioner and he is the prima accused.

4. A perusal of the record goes to show that the 2nd respondent made a complaint on 25.4.2009 against all the accused stating that her husband-petitioner herein at the instance of A2 to A4 and A8 harassed her demanding additional dowry of Rs.10,00,000/- (Rupees Ten Lakhs). In the charge sheet, there are specific overt acts against the petitioner that immediately after the complainant joined her husband-petitioner herein, at the instigation of present family members A4 and A8, the petitioner-A1 started harassment mentally and physically to bring additional dowry. There are specific allegations against the petitioner. The quashing of proceedings against A3 to A11 is not in dispute. The petition filed by A2 is dismissed. I do not find any grounds to quash the proceedings since the

charge sheet was filed and cognizance was taken and the matter is coming up for trial.

5. Accordingly, the Criminal Petition is dismissed. Consequently, interim stay granted on 2.8.2011 in CrI.M.P.No.6600 of 2011 is vacated and the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE N. BALAYOGI

Date: 10th October, 2017
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