

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No. 2441 of 2011

ORDER:

This petition is filed seeking for quash of the proceedings in Crime No.567 of 2010, dated 26.12.2010, of Kancharapalem Police Station, Visakhapatnam.

2. Heard the counsel for the petitioners; the Public prosecutor for respondent No.1 and the counsel for respondent No.2.

3. The counsel for the petitioners put forth the list of events that lead to the filing of this complaint. The marriage between the first petitioner and the second respondent took place on 30.05.2002 and the same was dissolved by virtue of an *ex parte* decree on 04.06.2009. Later the second respondent filed I.A.No.463 of 2009 and the same was dismissed on 23.11.2010. Meanwhile, the first petitioner got married on 30.11.2009, after dissolution of his marriage with the second respondent. Now the present complaint is filed on 26.12.2010 making several allegations, which the second respondent did not choose to make earlier to 30.11.2009 or 04.06.2009, on which date the marriage got dissolved or immediately after 23.11.2010, which is the date of her filing the petition to set aside the *ex parte* decree or immediately after the dismissal of the said petition.

4. Hence, absolutely this petition seems to be a vexatious petition filed as a counter blast to all the events that occurred prior to that and only in order to harass the petitioners herein.

Hence, continuance of the proceedings in that crime would result in sheer abuse of process of law.

5. With the above observations, the Criminal Petition is allowed and the proceedings in Crime No.567 of 2010, dated 26.12.2010, of Kancharapalem Police Station, Visakhapatnam are hereby quashed.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

November 9, 2017
LMV

T. RAJANI, J

