

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.2810 of 2017

ORDER:

This petition is filed under Section 482 Cr.P.C. to quash the docket order dated 03.03.2017 in C.C.No.896 of 2015 on the file of the Court of the XXI Metropolitan Magistrate, Cyberabad at Medchal.

2. Heard the learned counsel for both parties.

3. A perusal of the record reveals that respondent Nos.1 to 4—accused Nos.1 to 4 are facing trial in C.C.No.896 of 2015 for the offences punishable under Section 498-A I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961. It further reveals that accused Nos.1 and 4 are not attending before the trial Court. It also reveals that the trial Court split up the case against accused Nos.2 and 3 and renumbered as C.C.No.246 of 2017.

4. While passing the above docket order, the trial Court directed the police to file additional charge sheet.

5. Learned counsel for the petitioner strenuously submitted that the trial Court committed grave error while making such an observation. No doubt, the trial court ought not to have directed the Police to file additional charge sheet. If the above part of the order allowed to stand, certainly it would amount to miscarriage of justice.

6. Having regard to the facts and circumstances of the case, the docket order dated 03.03.2017 in C.C.No.896 of 2015 on the file of

the Court of the XXI Metropolitan Magistrate, Cyberabad at Medchal, to the extent referred above is liable to be set aside.

7. In the result, the Criminal Petition is allowed in part setting aside the docket order dated 03.03.2017 in C.C.No.896 of 2015 on the file of the Court of the XXI Metropolitan Magistrate, Cyberabad at Medchal, to the extent of *“Police is directed to file additional charge sheet”*.

8. Consequently, Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

Date: 04.07.2017
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T.SUNIL CHOWDARY, J

