

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.906 of 2017

ORDER:

This criminal petition is filed by the petitioner/accused No.4 in the court below seeking for quash of the proceedings in C.C.No.517 of 2016 on the file of the Court of the learned I Additional Judicial Magistrate of First Class, Khammam.

2. Heard learned counsel for the petitioner and learned Public Prosecutor and with their consent, the criminal petition is disposed of at the admission stage.

3. Learned counsel for the petitioner contends that this petitioner is the person with whom illicit relationship is alleged between A1 and herself. Hence, Section 498A IPC does not get attracted but there are allegations constituting offence under Section 506 IPC.

4. Therefore, petitioner is directed to file a discharge petition before the court below, it being an effective remedy. However, the presence of the petitioner before the court below is dispensed with till the disposal of the discharge petition and the Court below shall not insist upon the presence of the petitioner unless it is necessary for the proceedings of the case. The petitioner can raise all the grounds raised by her in the discharge petition filed by her.

With the above observations, the criminal petition is disposed of. As a sequel, the miscellaneous applications, if any pending, shall stand closed.

\_\_\_\_\_  
JUSTICE T. RAJANI

October 11, 2017  
Lm v