

SMT JUSTICE T.RAJANI
CRIMINAL PETITION No.6499 OF 2013

ORDER:

This Criminal Petition is filed seeking for quash of the proceedings against the petitioner, who is accused No.3, in Crime No.197 of 2012 on the file of Anaparthi Police Station, East Godavari district. The offences alleged against the petitioner are under Sections 498-A R/w.34 I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

2. Heard learned counsel for the petitioner, learned counsel for the 2nd respondent, and learned Public Prosecutor appearing for the 1st respondent.

3. The counsel for the petitioner submits she is staying away from the 1st accused and that she has nothing to do with the affairs of the family members of accused No.1; she contends that, in order to rope in all the family members of accused No.1, the petitioner was also arrayed as accused. But, a perusal of the complaint shows that there are allegations made against all the accused, citing specific instances. It is not a mere allegation that the petitioner has been harassing the *de-facto* complainant but the nature of harassment is also stated. Hence, this Court is of the opinion that it is not a fit case to quash the proceedings against the petitioner. But, however, considering the plea of the petitioner's counsel that the petitioner may be safeguarded from arrest, the police, at this stage, are directed to follow the guidelines enunciated by the Supreme Court in ***Arnesh Kumar Vs. State of Bihar and another (Criminal Appeal No.1277 of 2014)***¹, before effecting the arrest of the petitioner.

¹ (2014) 8 SCC 273

With the above directions, the Criminal Petition is disposed of. As could be seen from the proceedings of this case, initially, this Court had granted the *interim* stay on 05.07.2013 and was extended from time to time and, on 02.09.2013, the said stay was extended for a period of 6 weeks from that date, and thereafter there was no extension. Hence, it is needless to mention that the stay granted by this Court earlier is not in existence. As a sequel, the miscellaneous applications, if any pending, shall stand closed.

Date: 19.12.2017.
Dsh

T.RAJANI, J



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Date. 19.12.2017

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