

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No. 197 of 2017

ORDER:

This writ petition under Article 226 of the Constitution of India is filed to issue writ of Certiorari calling for the records relating to Crime No.97 of 2016, on the file of the 3rd respondent-Station House Officer, Women Police Station, Charminar, Hyderabad and quash the same.

2. Heard and perused the material available on record.

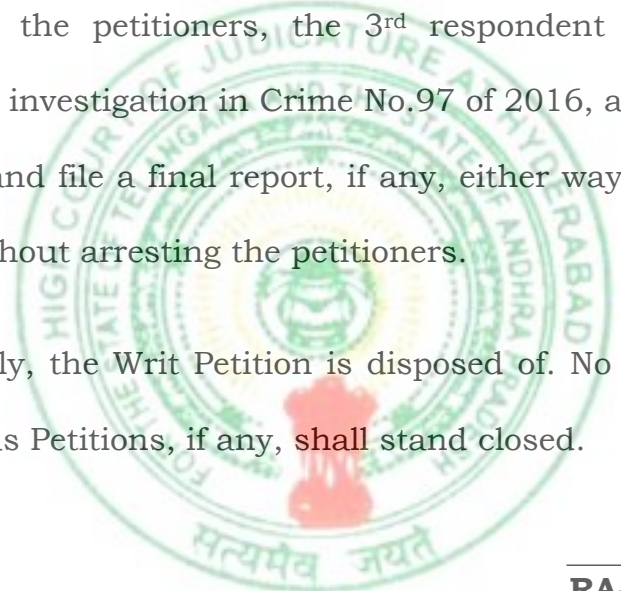
3. The case of the petitioners is that the 4th respondent has lodged a private complaint before XV Additional Chief Metropolitan Magistrate, Hyderabad, which was referred to 3rd respondent-Station House Officer, who in turn registered a case in Crime No.97 of 2016 for the offences punishable under Sections 498-A, 420, 406 read with 34 IPC and Sections 4 and 6 of the Dowry Prohibition Act, 1961. The allegations in the complaint would go to show that the marriage of the 4th respondent-de facto complainant with A.1 was performed in the year 2013 and it is a second marriage for both the parties. Prior to the marriage, petitioners 2 to 7 approached her parents for marriage alliance and represented that A.1 is working in a reputed company with a salary of Rs.2.00 lakhs per month and he gave divorce to his first wife and demanded dowry of Rs.2.00 lakhs apart from 20 tulas of gold and other items. After the marriage, the 4th respondent joined A.1 at Borabanda and petitioners 2 to 7 used to frequently come to Borabanda and started harassing the 4th respondent both physically and mentally saying that the gold and cash as presented

by her parents are insufficient. They also harassed her without providing basic needs.

4. Learned counsel for the petitioners would submit that even the entire allegations made in the complaint are taken to be true, no offence is made out against the petitioners and that the petitioners are innocent of the offences alleged against them and that basing on the complaint, the 3rd respondent is trying to arrest the petitioners.

5. Considering the facts and circumstances of the case and grievance of the petitioners, the 3rd respondent is directed to complete the investigation in Crime No.97 of 2016, as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioners.

6. Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.



RAJA ELANGO, J

JANUARY 03, 2017
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