

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.5329 of 2017

ORDER:

This petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings against the petitioners, who are respondent Nos.1 and 2 in D.V.C.No.5 of 2016 on the file of the Court of Additional Judicial Magistrate of First Class cum Additional Junior Civil Judge, at Husnabad.

2. Heard the learned counsel for the petitioners and the learned Assistant Public Prosecutor for the State of Telangana.

3. At the time of hearing, the only relief sought by the learned counsel for the petitioners is to dispense with the presence of the second petitioner before the trial Court on each and every date of adjournment. He further submitted that the first petitioner/first respondent in D.V.C. has been attending before the trial Court.

4. In view of the submission made by the learned counsel for the petitioners, this Court is not inclined to go into the merits of the main case. There is no dispute with regard to the identity of the second petitioner. Even if the presence of the second petitioner is dispensed with, no prejudice would be caused to the second respondent – *de facto* complainant.

5. Having regard to the facts and circumstances of the case, the presence of the second petitioner, who is respondent No.2 in D.V.C.No.5 of 2016 on the file of the court of Additional Judicial Magistrate of First Class cum Additional Junior Civil Judge at Husnabad, is dispensed with on each and every date of adjournment. However, she shall appear before the trial Court as and when her presence is specifically required.

6. With the above observation, the criminal petition is disposed of. Consequently, Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

Date:07.07.2017
Rns

T.SUNIL CHOWDARY, J

