

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.3074 of 2011

ORDE/ R:

This petition is filed seeking for quashment of the proceedings against the petitioners, who are A1 to A3 in C.C.No.619 of 2007 on the file of X Metropolitan Magistrate at Malkajgiri, Cyberabad.

2. Heard the counsel for the petitioners and the Public Prosecutor appearing for respondent No.1. None appears for respondent No.2, in spite of notice.

3. The contents of the complaint would show that there are specific allegations made against all the accused. The allegation against A1 is that he has been harassing the complainant from the beginning, while the allegations against A2, father-in-law of the complainant, is that he demanded additional dowry along with his daughter. But absolutely, there are no allegations against A3, mother-in-law of the complainant. The name of the sister-in-law against whom a similar allegation is made along with the father-in-law was deleted from the charge sheet. However, filing of the charge sheet against the father-in-law, even after deleting the name of sister-in-law, would suggest that there must have been *prima facie* material against him.

4. Hence, this court is of the considered opinion that this is not a fit case for quash insofar as A1 and A2 are concerned and

that continuation of proceedings against A3 would be an abuse of process of law.

5. With the above observations, the Criminal Petition is partly allowed quashing the proceedings in C.C.No.619 of 2007 on the file of X Metropolitan Magistrate, Malkajgiri, Ranga Reddy District, insofar as petitioner No.3/A3 is concerned and the proceedings insofar as petitioner Nos.1 and 2/A1 and A2 may go on. Interim stay, granted by this court in CrI.P.M.P.No.3259 of 2011, dated 07.04.2011, shall stand vacated.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

December 13, 2017
LMV



T. RAJANI, J