

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA
CRIMINAL PETITION No.3349 OF 2017

ORDER:

The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Code') requesting to quash the proceedings in D.V.C.No.34 of 2015 on the file of the Additional Judicial Magistrate of First Class-cum-Mobile Court at Kamareddy.

2. Heard Sri T. Chandrashekhar, learned counsel for the petitioner.

3. The petitioner herein is the husband of the *de facto* complainant-respondent No.2 herein.

4. Learned counsel for the petitioner would submit that since divorce was effected between the parties, the proceedings in D.V.C.No.34 of 2015 are not maintainable, and, therefore, requests to quash the proceedings.

5. In fact, in **Gaddameedi Nagamani v. State of Telangana**¹ and **Giduthuri Kesari Kumar v. State of Telangana**², this Court has succinctly held that in a petition under Section 482 of the Code, the request for quashment of DVC proceedings cannot be entertained as the proceedings in D.V.C. are purely civil nature. Following the said decisions, this Court disposed of number of petitions filed under Section 482 of the Code. However, it is open to the petitioner to agitate the defence raised herein before the trial Court in D.V.C. proceedings.

6. With the above observation, the criminal petition is dismissed.

¹ 2015 (2) ALD (CrI.) 764 (A.P.)

² 2015 (2) ALD (CrI.) 470 (A.P.)

7. As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition stand closed.

A. SHANKAR NARAYANA, J

28th April 2017

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