

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.1255 OF 2017

ORDER :

The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Cr.P.C.') requesting to quash the proceedings in Calendar Case No.2470 of 2015 pending on the file of the IV-Additional Chief Metropolitan Magistrate, Vijayawada

2. Sri P. Venugopala Rao, learned counsel for the petitioner, would submit that the petitioner is unnecessarily harassed by his wife as the petitioner concealed his earlier marriage and she, on her own, left the society of the petitioner and levelled untrue allegations in the complaint and even filed D.V.C. and maintenance case also and that the petitioner has been attending the Courts very frequently. Learned counsel for the petitioner further submits that, in fact, prior to the de facto complainant's marriage with the petitioner, she was also married and she filed the present false case against him.

3. Learned Additional Public Prosecutor for the State of Andhra Pradesh would resist the request.

4. A perusal of the complaint would unravel the acts constituting the harassment. In a petition of this nature, it is unnecessary to repeat what has been stated in the complaint, so also in the charge sheet and 161 Cr.P.C. statements. Suffice it to say, the allegations in the complaint would make this Court to out-rightly reject the request as it

is not a case where the proceedings in calendar case can be quashed on the ground that it amounts to abuse of process of law.

5. Accordingly, the criminal petition is dismissed at the admission stage itself.

6. Miscellaneous petitions pending, if any, shall stand dismissed.

A. SHANKAR NARAYANA, J

15th February 2017.

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