

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.6960 OF 2017

ORDER:

Heard learned counsel for the petitioner/A1 and also the learned public prosecutor, representing the 1st respondent- State, before ordering notice to the 2nd respondent – defacto complainant in C.C.No.798 of 2016, pending on the file of XIII Additional Chief Metropolitan Magistrate, Mahila Court, Nampally, Hyderabad, where the learned Magistrate taken cognizance for the offences punishable under Sections 494 and 109 IPC, which is outcome of Crime No.310/2013, dated 27.07.2013 of WPS, CCS, Hyderabad and perused the grounds urged in the quash petition including the police final report, FIR and the part II investigation material.

2. Recording the principle that both marriages must be valid and the alleged marriage with the defacto complainant to A1/petitioner is not valid on its face is not appreciated as it is a fact finding to be required to adjudicate, thereby there is nothing to interfere but for left open such a contention including contention as to the validity of the cognizance from the bar under Section 198 Cr.P.C. urged.

3. Accordingly and with the above observation, this criminal petition is disposed of. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

09.08.2017
SS