

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.108 OF 2018

ORDER:

This Criminal Petition is filed under Section 482 of Cr.P.C. seeking to quash the proceedings in D.V.C. No.267 of 2017 on the file of the IV Metropolitan Magistrate, Hyderabad, against petitioners (respondents in D.V.C.).

2. Heard the learned counsel for the petitioners and learned Additional Public Prosecutor, apart from perusing the material available on record.

3. The submission made on behalf of the petitioners is that after 20 days of marriage, respondent No.2 left the house of the petitioners herein; the parties are not living under one roof; therefore, the continuation of proceedings in D.V.C. No.267 of 2017 is abuse of process of law.

4. As held earlier by this Court, there is no requirement of personal attendance of the respondents in the D.V.C. cases. They can be represented through their counsel. It is brought to the notice of the Court that the petitioners herein have engaged an advocate to appear in the D.V.C. No.267 of 2017 on the file of the IV Metropolitan Magistrate, Hyderabad. Under these circumstances, the Court below shall not insist the personal appearance of these petitioners, unless it is required for some specific reason.

5. With the above observation, this Criminal Petition is disposed of. Miscellaneous petitions, if any pending in this Criminal Petition, shall stand closed.

Dr. SHAMEEM AKTHER, J

Date: 22-01-2018

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