

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.7706 of 2013

ORDER:

The criminal petition is filed seeking quash of the proceedings, against the petitioners, who are A1 to A5, in CC.No.750 of 2012 on the file of the II Additional Chief Metropolitan Magistrate, Vijayawada. The offences alleged are under Section 498-A of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

2. Heard the counsel for the petitioners and the learned Public Prosecutor appearing for the first respondent. None appears for the second respondent in spite of notice.

3. A perusal of the complaint would show that the allegations are only omnibus in nature. The allegations being that the petitioners 2 to 5 used to harass the complainant in support of her husband.

4. The counsel for the petitioner submits that the allegations made against the petitioners 4 and 5 on the face of it are false, as they are residing separately and they do not have any concern with the affairs of the family of the complainant.

5. From the complaint, it can be understood that petitioners treated the complainant well, after her marriage and she was blessed with two daughters, but thereafter, her husband started harassing her with a demand of additional dowry. Hence, the allegations seem to be only against A1.

6. Considering the omnibus nature of allegations, which are mainly against A1, this Court thinks it fit to quash the proceedings against petitioners 2 to 5/A2 to A5.

The criminal petition is allowed in part and the further proceedings, against the petitioners 2 to 5, who are A2 to A5, in CC.No.750 of 2012 on the file of the II Additional Chief Metropolitan Magistrate, Vijayawada, are hereby quashed and the proceedings against petitioner No.1/A1 shall continue. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

November 28, 2018
DSK

T. RAJANI, J

