

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.1072 OF 2018

ORDER:

This petition is filed by the petitioners-A4 and A5 under Section 482 Cr.P.C. to quash the proceedings in C.C.No.220 of 2017 on the file of the XXII Metropolitan Magistrate, Rachakonda at Ibrahimpatnam, Ranga Reddy District, which took cognizance of the case for the offences punishable under Sections 498-A, 354 (A), 323 and 506 r/w 149 IPC and 3 and 4 of Dowry Prohibition Act.

2. Heard learned counsel for the petitioners, learned Assistant Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioners would submit that there are no allegations against the petitioners constituting the offences as enumerated above. These petitioners are Government servants. The petitioners have nothing to do with the allegations in the F.I.R. as well as charge sheet. The continuation of proceedings would be an abuse of process of law and ultimately, prayed to allow the petition.

4. On the other hand, learned Assistant Public Prosecutor would submit that there are specific allegations against these petitioners and ultimately, prayed to dismiss the petition.

5. The material on record reveals that these petitioners alleged to have beat the de facto complainant, who is the wife of A1. There are also other allegations against these petitioners for the offences punishable under Sections 498-A IPC and 3 and 4 of Dowry Prohibition Act. The

settlement of matrimonial dispute between the parties before Lok Adalat, as per award, dated 14.12.2015 is not a ground to quash the proceedings. Report as well as complaint are based on a different cause of action. The matter is required to be adjudicated after full-fledged trial. It cannot be held that the petitioners are innocent persons. Therefore, the petition is devoid of merit and is liable to be dismissed.

6. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions, if any pending in this Criminal Petition shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 01-02-2018.
Hsd

