

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.8344 of 2011

ORDER:

This petition is filed, by the petitioners, who are A2 to A6, seeking for quash of the proceedings in Crime No.142 of 2011 on the file of Sathupalli Police Station, Khammam District. The offences alleged are under Section 498A IPC.

2. Heard the counsel for the petitioners and the Public Prosecutor appearing, for the 1st respondent. None appears for the 2nd respondent in spite of notice.

3. The petitioners are parents-in-law, sister-in-law, husband of the sister-in-law, brother-in-law of the *de facto* complainant. The complaint is filed alleging that all the petitioners belong to a joint family and that the complainant was harassed with demand of Rs.2 lakhs for the purpose of A1, who is the husband of the *de facto* complainant, going to US. The allegations are importantly made against A1. The allegations against petitioners 1 and 2 are that they do not disclose as to where A1 went. Absolutely, there are no allegations made against the other petitioners except mentioning their names.

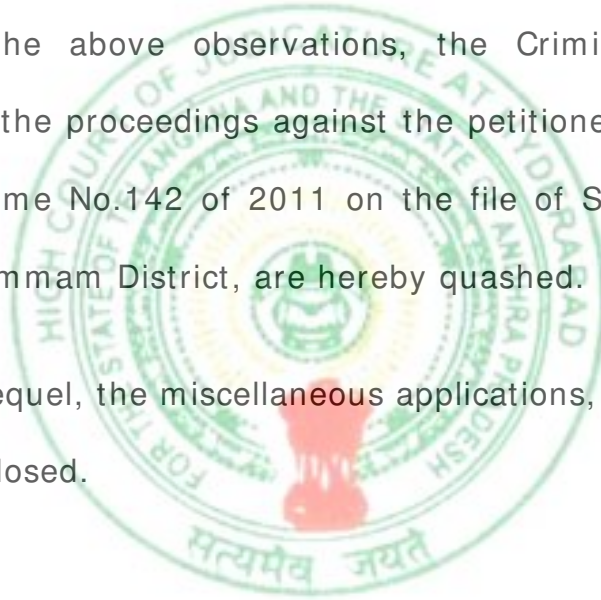
4. The counsel for the petitioners, on the other hand, submits that the marriage was performed in the year 1994 and in the year 2006, divorce was obtained by A1 on the ground of cruelty. He also files copy of the order passed in the said divorce

petition, viz., O.P.No12 of 2006 dated 09.06.2006. The *de facto* complainant did not contest the said matter and it was an *ex parte* order. The order shows that the *de facto* complainant deserted A1.

5. In view of the above, this court opines that the complaint, which was filed in the year 2011, was only filed to some how harass the petitioners and hence, continuation of proceedings against the petitioners would be an abuse of process of law.

6. With the above observations, the Criminal Petition is allowed and the proceedings against the petitioners, who are A2 to A6, in Crime No.142 of 2011 on the file of Sathupalli Police Station, Khammam District, are hereby quashed.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.



T. RAJANI, J

September 4, 2018
LMV