

SMT JUSTICE T.RAJANI

CRIMINAL PETITION Nos.5828 OF 2011 & 14586 OF 2013

COMMON ORDER:

1. These two Criminal Petitions, under Section 482 of Cr.P.C., are separately filed by the Petitioners/A-2 to A-6 and A-1 seeking to quash the proceedings in C.C. No.25 of 2010, pending on the file of the Court of XIII Additional Chief Metropolitan Magistrate at Hyderabad, registered for the offence punishable under Section 498-A of I.P.C.

2. Heard learned counsel for the petitioners and learned Public Prosecutor appearing for the 1st respondent – State.

3. Learned counsel for the petitioners submits that there was a divorce effected between the 2nd respondent/*de-facto* complainant and A-1 in this case and that the *de-facto* complainant filed C.C. No.25 of 2010, after obtaining divorce. Learned counsel further submits that the 2nd respondent/*de-facto* complainant also got married to another person and, in support of the same, filed the original marriage certificate evidencing the said fact.

4. A perusal of the talaknama shows that the mahar amount was also received by the 2nd respondent/*de-facto* complainant. Hence, from the aforesaid facts, it can be understood that the allegations made in the complaint are stale, even if they are true.

5. Hence, in view of the above, this Court opines that continuation of further proceedings against the petitioners would only be an abuse of process of law.

6. Accordingly, the Criminal Petition is allowed and all further proceedings against the Petitioners/A-1 to A-6, in C.C. No.25 of 2010,

pending on the file of the Court of XIII Additional Chief Metropolitan Magistrate at Hyderabad, are hereby quashed.

7. As a sequel, miscellaneous petitions, if any, pending in these Petitions shall stand closed.

Date: 10.12.2018.
Dsh

T. RAJANI, J



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Date. 10.12.2018

DSH