

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.2267 of 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner to quash the proceedings in D.V.C.No.3 of 2016 on the file of I Additional Chief Metropolitan Magistrate, Vijayawada.

2. Heard the learned counsel for the petitioner, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. Taking cognizance for the offences under the Domestic Violence Act, 2005, are appealable, under Section 29 of the said Act. The law is well settled that where an alternative and efficacious remedy by way of appeal under Section 29 of the Domestic Violence Act, 2005, is available to the petitioner, proceedings under Section 482 Cr.P.C. are not maintainable. In view the said legal proposition, the petitioner is given liberty to invoke such remedy.

4. With the above observation, the Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

Dr. SHAMEEM AKTHER, J

23rd February, 2018
Bvv