

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.14599 OF 2016

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners-respondents to quash the proceedings in D.V.C.No.17 of 2016 on the file of the Special Judicial Magistrate of First Class (P & E), Kurnool.

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

3. It is contended by the learned counsel for the petitioners that earlier DVC application was filed and the same was disposed of. Filing of second DVC amounts to double jeopardy. The proceedings are not maintainable. The same can be agitated before the Court of Session under Section 29 of the Protection of Women from Domestic Violence Act, 2005. The petitioners need not attend the Court below on each and every date of adjournment unless the Court orders for any specific purpose.

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

DATED: 05-03-2018

Hsd