

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.7101 of 2011

ORDER:

The criminal petition is filed for quash of the proceedings against petitioners, who are A3, A5 and A6, in CC.No.456 of 2010 on the file of the XIII Additional Chief Metropolitan Magistrate, Hyderabad. The offences alleged are under Sections 498-A, 420 read with 34 of the Indian Penal Code.

2. Heard the counsel for the petitioners and the learned Public Prosecutor appearing for the second respondent. None appears for the first respondent.

3. The counsel for the petitioners submits that only omnibus allegations are made against all the petitioners and the main allegations are against A1.

4. A perusal of the complaint, no doubt, shows that the allegations made against the accused are omnibus in nature. But various allegations are made against them. It is an admitted fact that all of them are residing together along with the defacto complainant. Hence, unless the trial of the case is conducted, the truth of the matter cannot be gone into.

5. At this stage, the counsel requests the Court to dispense with the presence of the parties.

6. In view of the above, this Court considers that the presence of the parties before the Court below may not be insisted upon unless it is required for the proceedings of the case. Hence, in view of the

above, the presence of the petitioners shall be dispensed with. But, however, the Court below can direct the petitioners to be present on those dates of the proceedings in which their presence is required.

In the light of the above, the criminal petition is dismissed. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

August 14, 2018
DSK

T. RAJANI, J

