

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.3162 of 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.3 & A.4, seeking to quash the proceedings in Crime No.10 of 2018 on the file of Koyyur Police Station, Jayashankar District, registered for the offences under Sections 304-B of I.P.C. and Section 4 of the Dowry Prohibition Act, 1961.

2. Heard the learned counsel for the petitioners/A.3 & A.4, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. The learned counsel for the petitioners/A.3 & A.4 would submit that there are no ingredients of Section 304-B of I.P.C. and Section 4 of the Dowry prohibition Act, 1961, to register the crime and proceed with the investigation. Continuation of investigation is abuse of process of law and ultimately prayed to allow the application.

4. The learned Assistant Public Prosecutor opposed the relief sought by the petitioners/A.3 & A.4.

5. As per the First Information Report, the offence took place on 05.02.2018 at 19:00 hours and it was reported to police on 06.02.2018 at 10:30 hours by the de-facto complainant-P.Komuramma. In the First Information Report, it is alleged that the petitioners/A.3 & A.4, along with the other accused, harassed and tortured the daughter of de-facto complainant-Vallepu Lavanya, subjected her to physical and mental torture by demanding additional

dowry. Due to the unbearable harassment meted out to the daughter of the de-facto complainant, she consumed pesticide poison and committed suicide. The alleged incident said to have taken place on 05.02.2018 at 19:00 hours and it was reported to police on 06.02.2018 at 10:30 hours. There are specific allegations against the petitioners/A.3 & A.4. The truth or otherwise of the allegations do require investigation. Under these circumstances, it cannot be said that continuation of investigation is abuse of process of law. The Criminal Petition is devoid of merit and is liable to be dismissed.

6. Accordingly, the Criminal Petition is dismissed.

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

14th March, 2018
Bvv



Dr. SHAMEEM AKTHER, J