

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.3208 OF 2018

ORDER:

This petition is filed by the petitioner-accused under Section 482 Cr.P.C. to quash the proceedings in C.C.No.926 of 2017 on the file of the XXV Metropolitan Magistrate, Kukatpally at Miyapur, wherein cognizance was taken for the offences punishable under Sections 354, 323 and 506 IPC.

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

3. Learned counsel for the petitioner would submit that no alleged incident took place as reported in the F.I.R. There is no reason to implicate the petitioner in this case. There are details of the marriage of the de facto complainant with the brother of the petitioner. In the F.I.R. also, there are no other details and ultimately prayed to allow the petition.

4. On the other hand, learned Assistant Public Prosecutor opposed the relief sought for by the petitioner in the petition.

5. As per the material placed on record, the de facto complainant said to have married the brother of the petitioner in Tirupathi Balaji Temple. Thereafter, she was not allowed to join the family members of her husband. She was also assured that marriage would be celebrated again on some day. But it was not done so. It is also on record that the de facto complainant belongs to Chennai and now she is residing at Hyderabad. She is working in a private organization. She came in contact with the brother of the

petitioner and fell in love with him and married in Tirupathi Balaji Temple without the knowledge of the parents of the bridegroom. On 18.08.2017 at about 19.00 hours, the de facto complainant went to Platina building and met the petitioner, who is the brother of her husband. When she was speaking, the petitioner said to have taken video and used un-parliamentary language and alleged to have pulled the de facto complainant by catching her hand and caused injury. When she was about to sit, it is alleged that the petitioner pushed her. The investigation conducted supported the allegations made by the de facto complainant. There are also allegations of outraging the modesty of the de facto complainant by the petitioner. Under these circumstances, it cannot be concluded that the allegations do not constitute offences referred above. To find out the truth or otherwise of the allegations do require full-fledged trial. There are no grounds to quash the proceedings.

6. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions, if any pending in this Criminal Petition shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 15-03-2018.

Hsd