

HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.3399 of 2018

ORDER:

This Criminal Petition is filed by the petitioners under Section 482 Cr.P.C. seeking to quash the proceedings against them in C.C.No.627 of 2016 on the file of VIII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad, registered against them for the offence under Section 506 of I.P.C. on the allegation that both of them abused and intimidated the respondent No.2/defacto complainant who is the wife of second petitioner on 22-8-2016 when she came out of the Legal Services Authority Building situated near City Civil Court after attending the counseling.

The submission of learned Counsel for petitioners is that there are matrimonial disputes between the second petitioner and the second respondent and in fact, O.P.No.850 of 2016 was filed by the second petitioner against the second respondent on the file of Judge, Additional Family Court, Hyderabad seeking divorce and the same is pending and in view of such matrimonial disputes, false case is foisted against them and absolutely, there is no truth in the complaint allegations and L.W.2 who allegedly witnessed the incident is none other than the own brother of the second respondent and the second respondent has not stated about the presence of the said L.W.2 which implies that the complaint allegations are all false.

Learned Additional Public Prosecutor opposed the petition.

As can be seen, investigation completed and Charge Sheet was filed and the same was taken cognizance and the matter is now coming up for framing charges. Hence, it is not a fit case to quash the proceedings at this stage. Petitioners can vindicate their defence at the time of trial before the trial court.

Accordingly, the Criminal Petition is dismissed. However, considering the submission of learned counsel for petitioners that both petitioners are private employees and their attendance before the lower court will cause much inconvenience to their employment, their presence before trial court is dispensed with except on the occasions when the trial court requires their attendance.

As a sequel, miscellaneous applications pending if any, shall stand closed.



JUSTICE U.DURGA PRASAD RAO

Dated 20th March, 2018.

Dvs

HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO



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