

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.12322 of 2011

ORDER:

This petition is filed under Section 482 Cr.P.C., for quashing the proceedings in S.C.No.166 of 2011 on the file of Assistant Sessions Judge, at Bobbili, against the petitioners/accused Nos.2 to 5, which was taken on file for the offences punishable under Sections 498-A, 306 r/w 34 IPC.

2. Heard the learned counsel for the petitioners, and the learned Public Prosecutor representing the respondent-State. None appeared for the defacto-complainant in spite of service of notice. Notice on the defacto complainant has in fact returned as unclaimed, which can be deemed as proper service.

3. The petitioners are parents in law, brother in law and sister in law of the deceased. The charge sheet shows that no allegations are made against these petitioners in particular. It is only stated that the husband of the deceased and his family members ill-treated the deceased. A reading of the charge sheet would give an understanding that the main grievance is against accused No.1. As against accused No.4, the allegation is that he went to the house of the deceased and informed that accused No.1 has no liking for the deceased and suggested that they can part ways by taking divorce and when the deceased questioned accused No.4 about her future, he did not respond and left her. Absolutely, no offences are attracted to the said allegation. As regards other accused, there are not even such allegations.

4. Hence, considering these offences, the continuation of proceedings results in abuse of process of law. Hence, the criminal petition is allowed quashing the proceedings against the petitioners in S.C.No.166 of 2011 on the file of Assistant Sessions Judge, at Bobbili. Pending miscellaneous petitions, if any, shall stand closed.

05th December, 2018
KSM

T. RAJANI, J

SMT JUSTICE T. RAJANI



CRIMINAL PETITION No.12322 of 2011

05th December. 2018

KSM