

**SMT. JUSTICE T.RAJANI**

**CRIMINAL PETITION No.8592 of 2011**

**ORDER:**

This criminal petition is filed under Section 482 Cr.P.C., seeking to quash the proceedings in Cr.No.345 of 2011 of Malkajgiri Police Station, Cyberabad, Ranga Reddy District, registered for the offences under Section 498-A IPC and under Sections 3 and 4 of Dowry Prohibition Act, against the petitioners/A1 to A5.

2. Heard learned counsel for the petitioners and learned Public Prosecutor, for the first respondent-State.

3. The counsel for the petitioners submits that the first petitioner filed O.P.No.923 of 2010 on the file of the Judge, Family Court, L.B.Nagar, on 16.04.2010 for restitution of conjugal rights and the second respondent-de-facto complainant filed counter on 21.10.2010 and the present complaint was filed on 06.08.2011, which is subsequent to filing of the said OP and the counter. He also submits that petitioners 2 to 5 are residing separately with their families. He, therefore, requested to quash the proceedings against the petitioners.

4. A perusal of the complaint would show that omnibus allegations are made against the petitioners. The second respondent also made allegations against the mother of A1, but she is not arrayed as accused. It is also alleged in the complaint that the petitioners came to her house on 28.07.2011 at about 3.30 PM and demanded for additional dowry. Be that as it may, the fact that the

petitioners came to her house would show that she was residing separately from the first petitioner. Therefore, it is clear that the complaint is filed as a counterblast to the O.P., filed by the first petitioner

5. In view of the above, it is considered to be a fit case to quash the proceedings against the petitioners.

6. Accordingly, the Criminal Petition is allowed quashing the proceedings in Cr.No.345 of 2011 of Malkajgiri Police Station, Cyberabad, Ranga Reddy District, against the petitioners/A1 to A5. Miscellaneous applications, if any, pending in this criminal petition shall stand closed.

29<sup>th</sup> August, 2018.

sj



**T. RAJANI, J**