

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.13463 of 2011

ORDER:

This petition is filed, by the petitioners, seeking for quash of the proceedings against them in C.C.No.427 of 2011 on the file of the court of IV Additional Judicial Magistrate of First Class, Warangal. The offences alleged are under Sections 498A IPC and Sections 4 of the Dowry Prohibition Act, 1961.

2. Heard the counsel for the petitioners and the Public Prosecutor appearing for the 1st respondent. None appears for the 2nd respondent in spite of notice.

3. The counsel for the petitioners submits that the petitioners do not have any concern with the affairs of the family of the *de facto* complainant.

4. A perusal of the charge sheet shows that though omni bus allegations are made against all these petitioners, it is stated that a panchayat was held and the petitioners have attended before the panchayat elders and admitted their guilt.

5. Hence, from the above, this court opines that unless a detailed enquiry is conducted in the form of trial, the truth of the matter would not come out and that it is not safe to quash the proceedings against the petitioners.

6. With the above observations, the Criminal Petition is dismissed. However, considering the submission of the counsel

for the petitioners that the presence of the petitioners may be dispensed with, the court below is directed not to insist upon the presence of the petitioners unless it is necessary for the proceedings of the case. Interim stay granted by this court on 21.12.2011 in CrI.P.M.P.No.15864 of 2011 shall stand vacated.

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

T. RAJANI, J

December 3, 2018
LMV

