

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.12128 OF 2016

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner-respondent No.1 to quash the order, dated 10-06-2016 in CrI.M.P.No.264 of 2016 in DVC No.3 of 2016 on the file of the I Addl. Judl. Magistrate of I Class, Kothagudem.

2. Heard the learned counsel for the petitioner, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. It is contended by the learned counsel for the petitioner that as on the date of institution of DVC, there was no domestic relationship between the petitioner and the 2nd respondent, who is the wife of the petitioner.

4. The same can be agitated under Section 29 of the Protection of Women from Domestic Violence Act, 2005. So, the petitioner is granted liberty, if he chooses to invoke the provisions under Section 29 of the Act.

5. With the above observation and liberty, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

DR. SHAMEEM AKTHER, J

DATED: 05-03-2018

Hsd