

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.7924 OF 2011

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., seeking to quash the proceedings in P.R.C.No.45 of 2010 on the file of XVI Additional Chief Metropolitan Magistrate, Hyderabad, registered for the offences punishable under Sections 498-A and 306 IPC and Sections 3 and 4 of the Dowry Prohibition Act, against the petitioners/A.2 to A.4.

2. Heard learned counsel for the petitioners.

3. Learned counsel for the petitioners submits that there are two dying declarations in this case. In the first dying declaration, the deceased stated that the incident is an accident and no allegations are made against any of the petitioners. A perusal of the same shows that during her stay, she lived very happily with the 1st petitioner and her husband and that on the date of incident by accident, she caught fire.

4. The second dying declaration, which is recorded on the same day, at a later point of time, shows that the deceased made some allegations against the 1st petitioner. But, there is absolutely no allegation made against petitioners 2 and 3, who are accused 3 and 4.

5. Hence, considering the above, this Court is of the considered view that continuation of proceedings against petitioners 2 and 3, who are A.3 and A.4 would result in abuse of process of the Court.

6. Accordingly, the Criminal Petition is allowed in part quashing the proceedings in P.R.C.No.45 of 2010 on the file of XVI Additional Chief Metropolitan Magistrate, Hyderabad, against the petitioners 2 and 3, who are A.3 and A.4. The criminal petition is dismissed insofar as petitioner No.1.

Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

T.RAJANI, J

AUGUST 20, 2018
YVL



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Date: 20.08.2018

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