

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.10798 of 2013

ORDER:

The criminal petition is filed seeking quash of the proceedings in CC.No.563 of 2012, against the petitioners, who are A1 to A4, on the file of the I Additional Judicial First Class Magistrate, Warangal. The offences alleged are under Sections 498-A of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

2. Heard the counsel for the petitioners and the learned Public Prosecutor appearing for the first respondent. None appears for the second respondent.

3. The counsel for the petitioners submits that after filing the present complaint, the first petitioner and the second respondent herein entered into a compromise and on the basis of the same, divorce was granted in FCOP.No.132 of 2013 dated 29.07.2013 on the file of the Family Court cum III Additional District Judge, Warangal, dissolving the marriage between the first petitioner and the *de facto* complainant as null and void. The certified copy of the memorandum of compromise is produced by the counsel for the petitioners wherein it is stated that the parents of the respondent neither paid any amount nor presented any articles worth the name to the petitioner at the time of marriage. It is also stated therein that they have compromised to declare their marriage as null and void, that since the earlier marriage of the *de facto* complainant with one M. Srinivas is not dissolved legally and there is no possibility for them to reside together and lead

marital life and that their marriage has irretrievably broken. It was also agreed that the present complaint should be withdrawn.

4. Hence, considering the above, this Court opines that continuation of further proceedings against the petitioner would only be abuse of process of law.

In the light of the above, the criminal petition is allowed and the proceedings in CC.No.563 of 2012, against the petitioners, who are A1 to A4, on the file of the I Additional Judicial First Class Magistrate, Warangal, are hereby quashed. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

December 13, 2018
DSK

T. RAJANI, J

