

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

Crl.P.No.6648 of 2018

ORDER

This petition under Section 482 of Cr.P.C., is filed to quash the proceedings in Cr.No.335 of 2018 on the file of Mailardevpally Police Station, Cyberabad District, registered for the offences punishable under Section 498-A IPC read with Section 3(1)(i)(a)(r)(s) & (x) of SCs & STs (POA) Act and under Sections 3 and 4 of Dowry Prohibition Act, against the petitioners/A1, A3 to A6, A8 and A9.

2. The main contention of petitioners before this Court is that the de-facto complainant, who is no other than the wife of A1, originally belongs to Hindu religion and a member of scheduled caste community and that on account of conversion to Islam, she has ceased to be a Hindu and a member of scheduled caste community and therefore, the provisions of SCs & STs (POA) Act have no application. But the genuineness of the certificate is to be considered by the investigating agency. Therefore, I deem it appropriate to direct the investigating agency to follow the procedure prescribed in **Dr. Subhash Kashinath Mahajan v. The State Of Maharashtra**¹ and take further steps considering the certificate and other documents before the authorities concerned.

3. With the above direction, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this petition shall stand closed.

M. SATYANARAYANA MURTHY, J

28th June, 2018

sj

¹ AIR 2018 SC 1498