

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.8136 OF 2018

ORDER:

This petition is filed under Section 482 Cr.P.C., to quash the proceedings in C.C.No.49 of 2018 on the file of the Judicial Magistrate of First Class, Shadnagar, Ranga Reddy District, for the offences punishable under Section 498-A of IPC and Sections 3 and 4 of the Dowry Prohibition Act, against the petitioners – Accused Nos.2 and 3, on various grounds.

2. The petitioners are the mother-in-law and the brother-in-law of the *de facto* complainant who are allegedly living under one roof, and they subjected the *de facto* complainant to harassment for her failing to meet the illegal demand. Though the petitioners challenged the charge sheet on various grounds, at the hearing, the learned counsel for the petitioners requested to dispense with the appearance of the 2nd petitioner, who has to come from Bangalore incurring huge expenditure on every date of adjournment.

3. This Court cannot issue a direction to dispense with appearance of the petitioners exercising power under Section 205 of Cr.P.C or under Rule 37 of the Criminal Rules of Practice.

4. The Criminal Petition is accordingly disposed of leaving it open to the petitioners to file a petition either under Section 205 Cr.P.C. or under Rule 37 of the Criminal Rules of Practice before

the Magistrate concerned and, on filing such application, the Magistrate shall dispose of the same within a week from the date of filing of such application, keeping in mind the guidelines issued by the Apex Court in ***Rajesh Sharma & Others Vs. State of U.P. & another***¹.

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

JUSTICE M.SATYANARAYANA MURTHY

02.08.2018

v v



¹ 2017(2) ALT (Cri.) 393 (SC)