

SMT. JUSTICE T.RAJANI
CRIMINAL PETITION No.13063 of 2011

ORDER:

This criminal petition is filed under Section 482 Cr.P.C., seeking to quash the proceedings in C.C.No.341 of 2011 on the file of the XIV Metropolitan Magistrate, Cyberabad at L.B.Nagar, Ranga Reddy District, registered for the offences under Sections 498-A, 506 IPC and under Sections 3 and 4 of Dowry Prohibition Act, against the petitioners/A1 to A3.

2. Heard learned counsel for the petitioners, learned counsel for the first respondent and learned Public Prosecutor for the second respondent-State.

3. A perusal of the charge sheet would show that specific allegations are made only against the 1st petitioner/A1 i.e., the husband of the first respondent-de-facto complainant and absolutely, no allegations are made against the 2nd and 3rd petitioners/A2 and A3, who are the brother of A1 and the wife of A2, respectively. The only allegation made against A2 and A3 is that they did not respond properly when the de-facto complainant informed the harassment made by A1. Hence, the proceedings against A2 and A3 can be quashed straightaway.

4. So far as the 1st petitioner/A1 is concerned, learned counsel for the petitioners submits that divorce was granted between the 1st petitioner/A1 and the de-facto complainant vide order dated 08.01.2018 in FCOP No.1629 of 2013 and that DVC No.17 of

2011 filed by the de-facto complainant was partly allowed granting some reliefs claimed by her.

5. However, divorce does not automatically exonerate the petitioners from the allegations attracting the offences under Sections 498-A, 506 IPC and under Sections 3 and 4 of Dowry Prohibition Act. Hence, this Court opines that the proceedings against the first petitioner/A1 cannot be quashed.

6. Accordingly, the Criminal Petition is partly allowed, quashing the proceedings in C.C.No.341 of 2011 on the file of the XIV Metropolitan Magistrate, Cyberabad at L.B.Nagar, Ranga Reddy District, against the 2nd and 3rd petitioners/A2 and A3. The petition is dismissed against the 1st petitioner/A1. However, the 1st petitioner/A1 is at liberty to file a discharge petition, if so advised. Miscellaneous applications, if any, pending in this criminal petition shall stand closed.

T. RAJANI, J

29th November, 2018

sj