

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No. 8839 OF 2018

ORDER:

This petition is filed under Section 482 of the Code of Criminal Procedure (for short, 'Cr.P.C.') by the petitioners-accused Nos. 1 and 2 to quash the proceedings against them in crime No. 212 of 2018 of Ramachandrapuram Police Station, Cyberabad, registered for the offences punishable under Sections 498-A and 494 of IPC.

2. Respondent No. 1, wife of petitioner No. 1, lodged a written report on 21-03-2018 with police against the petitioners alleging that petitioner No. 1 subjected her to cruelty for her failure to bring additional dowry and that petitioner No. 1 married petitioner No. 2 during subsistence of her marriage with petitioner No. 1. Basing the same, the above crime is registered for the offences referred *supra*.

3. The present petition is filed mainly on the ground that respondent No. 1 earlier lodged a report against petitioner No. 1 and his family members with Women Police Station, Sangareddy, and the same was registered as a case in crime No. 12 of 2017 for the offences punishable under Sections 498-A and 494 of IPC, that later, she gave another report to Medak Town Police Station which is the subject matter of crime No. 141 of 2017 for the offences punishable under Sections 498-A and 494 of IPC and Section 10 of Prohibition of Child Marriage Act; that thereafter, she lodged the present report and that filing successive reports for the same allegations is nothing but an abuse of process of the Court and therefore requested to quash the proceedings against the petitioners.

4. When the dispute is with regard to matrimonial matters, the police concerned have to follow the guidelines issued by the Apex Court in ***Rajesh Sharma Vs. State of U.P.***¹ and it is for the welfare committee to take appropriate action and advise the investigating agency either to drop further proceedings or to proceed with against the accused. Hence, the Station House Officer, Ramachandrapuram Police Station, Cyberabad, is directed to follow the guidelines issued by the Apex Court in ***Rajesh Sharma*** (*supra*).

5. With the above direction, the criminal petition is disposed of. Pending miscellaneous petitions, if any, in this criminal petition shall stand closed in consequence.

Date: 21-08-2018.
JSK

M.SATYANARAYANA MURTHY, J.



¹ 2017 (2) ALT (CrI.) 393 (SC)