

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.9543 of 2011

ORDER:

This petition is filed, by the petitioner, who is A2, seeking for quash of the proceedings in C.C.No.137 of 2008 on the file of XIII Additional Chief Metropolitan Magistrate at Hyderabad. The offences alleged are under Sections 498A, 326 IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961.

2. Heard the counsel for the petitioner and the Public Prosecutor appearing for the 1st respondent. None appears for the 2nd respondent in spite of notice.

3. The counsel for the petitioner submits that the petitioner is the mother-in-law of the *de facto* complainant and absolutely no allegations are made against the mother in law.

4. The statement of the *de facto* complainant recorded under Section 161 Cr.PC statement is furnished, which shows that except the stray allegation that her husband and her mother-in-law used to harass her, there is no other allegation made against the petitioner. The entire 161 statement is filled with allegations only against A1.

6. Hence, in view of the above, this court opines that continuance of further proceedings against the petitioner would be an abuse of process of law.

7. With the above observations, the Criminal Petition is allowed and the proceedings against the petitioner in C.C.No.137 of 2008 on the file of XIII Additional Chief Metropolitan Magistrate at Hyderabad, are hereby quashed.

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

September 5, 2018
LMV

T. RAJANI, J

