

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.9586 of 2011

ORDER:

This petition is filed seeking for quash of the proceedings against the petitioners, who are A2 to A4, in C.C.No.300 of 2011 on the file of the Judicial First Class Magistrate, Srcilla, Karimnagar. The offences alleged against the petitioners are under Sections 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act.

2. Heard the counsel for the petitioners, Sri K. Pathangapani Reddy, the counsel for the 1st respondent, and the Public Prosecutor appearing for the 2nd respondent.

3. A perusal of the complaint would show that there are specific allegations against the petitioners 1 and 2, who are A2 and A3. But, as regards the 3rd petitioner, who is A4, she seems to be a married woman and she is the sister of A1. Hence, it cannot be assumed that she would be in a position to harass the *de facto* complainant.

4. The counsel for the petitioners submits that a divorce petition was filed by A1, but he is not in a position to submit as to what happened to the divorce petition, whether decreed or not.

5. Hence, when there is no evidence with regard to the stage of the divorce petition, considering the allegations made against the petitioners 1 and 2, this Court is not inclined to quash the proceedings against the petitioners 1 and 2, who are A2 and A3, but proceedings against the 3rd petitioner, who is A4, are liable to be quashed.

6. In the result, the criminal petition is partly allowed quashing the proceedings in C.C.No.300 of 2011 against the 3rd petitioner alone, who

is A4, and the proceedings in C.C.No.300 of 2011 against the petitioners 1 and 2, who are A2 and A3, may go on.

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

T. RAJANI, J

September 12, 2018

v v

