

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No.6087 OF 2013

ORDER:

This Criminal Petition, under section 482 of Cr.P.C., is filed by the Petitioner/Accused seeking to quash the proceedings in C.C. No.805 of 2011, on the file of the Court of II Additional Chief Metropolitan Magistrate at Vijayawada, Krishna District (for short, 'the lower Court'), registered for the offence punishable under section 498-A of I.P.C.

2. Heard the learned counsel for the petitioner and notice sent to the 2nd respondent – de-facto complainant, as reported by learned counsel for the petitioner, is returned as 'left', a direction was given to the learned Public Prosecutor to trace out her address but the learned Public Prosecutor also expressed her inability in tracing out the address of the complainant, and her instructions are that the address of the complainant could not be traced out.

3. Learned counsel for the petitioner submits that in D.V.C. No.57 of 2012 filed by the complainant under the Protection of Women from Violence Act, 2005 (for short, 'the Act'), there was a compromise between the parties and, in the said compromise, the complainant also agreed to withdraw this complaint and learned counsel further submits that the Divorce Petition, which was filed by the petitioner, was also decreed in his favour granting mutual divorce by the Judge, Family Court, Ranga Reddy District at L.B. Nagar, Hyderabad, on 23.07.2012. Learned counsel for the petitioner, however, due to inability in serving notice on the 2nd respondent – complainant, seeks this Court to dispose of the matter viz., C.C. No.805 of 2011, which is at the stage of trial, leaving it open for the parties to work out their remedies in the lower Court.

4. Hence, considering the above, the Criminal Petition is disposed of, leaving it open for the parties to work out their remedies in the lower Court.

5. As a sequel, miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

T. RAJANI, J

Date: 03.10.2018.

Note:

Issue C.C. today.

Dsh



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Date. 03.10.2018

DSH