

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY**CRIMINAL PETITION No.10816 of 2018****ORDER:**

This Criminal Petition, under Section 482 Cr.P.C., is filed to quash the proceedings in Crime No.935 of 2018 of Uppal Police Station, Rachakonda, Medchal-Malkajgiri District, Telangana State, registered for the offences under Sections 498-A, 323, 506 IPC and Sections 3 and 4 of DP Act.

Mallula Vijaya Laxmi, *de facto* complainant, lodged a complaint with Uppal police alleging that her marriage was performed with Mallula Chandra Sekhar in the presence of elders and at the time of marriage, her parents gave Rs.5,00,000/- and 35 tulas of gold besides Rs.1,00,000/- for sister-in-law's dowry and thereafter her husband started harassing both physically and mentally for want of additional dowry by listening the words of his sister by name Shirisha. On 04.10.2018 at about 19.30 hours her husband and her mother came to the Shredda hospital at Uppal where her baby was admitted in hospital due to jaundice and threatened her with dire consequences that they will kill her daughter by using almonds and they also tried to kill her.

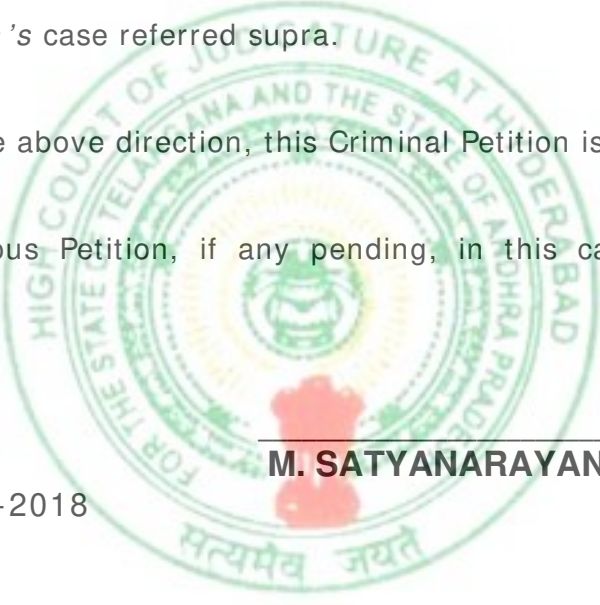
The present Petition is filed to quash the proceedings on the ground that there are no specific allegations made against the petitioners, who are husband, mother-in-law and sister-in-law of the *de facto* complainant, and when the allegations made in the complaint do not constitute any offence much less the offences under Sections 498-A, 323, 506 IPC and Sections 3 and 4 of DP Act, the proceedings against the petitioners, at this stage, cannot be continued and requested to quash the proceedings.

During hearing, learned counsel for the petitioners reiterated the said contention and requested this Court to follow the guidelines issued by the Apex Court in *Rajesh Sharma v. State of U.P.*¹, modified in *Social Action Forum for Manav Adhikar and another v Union of India, Ministry of Law and Justice and another*².

In view of the request made by the learned counsel for the petitioner, without touching the facts of the case, I deem it appropriate to direct the concerned Magistrate to follow the guidelines issued by the Apex Court in *Rajesh Sharma's case, modified in Social Action Forum's case* referred supra.

With the above direction, this Criminal Petition is disposed of.

Miscellaneous Petition, if any pending, in this case, shall stand closed.



M. SATYANARAYANA MURTHY, J

Date: 10-10-2018
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¹ 2017(2) ALT (CrI) 393 (SC)

² WP (Civil) No.73 of 2015 & batch

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