

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No.4013 OF 2013

ORDER:

The present Criminal Petition under Section 482 of the Code of Criminal Procedure, 1973 is filed by the petitioners - accused Nos. 1 to 8 seeking to quash the proceedings in Calendar Case No.48 of 2012, on the file of the Special Mobile Judicial Magistrate of First Class, Karimnagar, registered for the offences punishable under Section 498-A of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act, 1961.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor. None appears for respondent No.2, despite service of notice.

3. The learned counsel for the petitioners submits that LW.1 - *de facto* complainant died after filing the report with police and notice was taken by respondent No.2, who is her father and there is no response.

i) Apart from the above, the learned counsel submits that the allegations made in the complaint are only *omnibus* in nature, and no specific instances of harassment are stated against the petitioners herein, and that petitioner No.1 is husband of LW.1, while petitioner Nos.2 and 3 are parents of petitioner No.1, petitioner No.4 is elder brother of petitioner No.1, petitioner No.5 is wife of petitioner No.4, petitioner No.6 is married daughter of petitioner Nos.2 and 3, petitioner No.7 is

husband of petitioner No.6 and petitioner No.8 is the younger son of petitioner Nos.2 and 3.

4. So far as the allegations against petitioner Nos.4 to 8 are concerned, they seem to be far-fetched and it can be seen that they are residents of Hyderabad. Hence, it appears that the allegations against petitioner Nos.4 to 8 are not genuine.

5. So far as petitioner Nos.1 to 3 are concerned, there are specific allegations against them and since they are residing together, they cannot be held as false at this stage.

6. Hence, in view of the above, the present Criminal Petition is allowed in part so far as petitioner Nos.4 to 8 are concerned, and all the proceedings against them in Calendar Case No.48 of 2012, on the file of the Special Mobile Judicial Magistrate of First Class, Karimnagar, are hereby quashed, while the Criminal Petition, in so far as petitioner Nos.1 to 3 are concerned, is dismissed.

Consequently, Miscellaneous Petitions, if any, pending in the present Criminal Petition stand closed.

SMT. T. RAJANI, J

November 13, 2018
Mgr