

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.501 OF 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/accused Nos.1 to 4 seeking to quash the proceedings in C.C.No.39 of 2018 on the file of XIII Additional Chief Metropolitan Magistrate, Nampally at Hyderabad, including General Diary of Women Police Station, CCS, Hyderabad, dated 31.08.2018.

2. Heard the learned counsel for the petitioners/accused Nos.1 to 4, the learned Additional Public Prosecutor appearing for the 1st respondent-State, Sri Venkat Ratnam Thanneeru, learned counsel for the 2nd respondent and perused the record.

3. Learned counsel for the petitioners/accused Nos.1 to 4 would submit that there was no marriage in between respondent No.2-*de facto* complainant and petitioner/accused No.1; that no dowry demand was made as alleged; that all allegations made in the First Information Report as well as charge sheet are false and ultimately, prayed to quash the proceedings in the aforesaid Calendar Case pending against these petitioners/accused Nos.1 to 4.

4. Learned Additional Public Prosecutor as well as learned counsel for the 2nd respondent-*de facto* complainant opposed the same contending that there is substantial material to establish the marriage as well as dowry demand and harassment caused to the 2nd respondent-*de facto* complainant by these

petitioners/accused Nos.1 to 4 and ultimately, prayed to dismiss the application.

5. One or two contradictions are pointed out by the learned counsel for the petitioners/accused Nos.1 to 4 with regard to date of performance of marriage etc. But, those are not relevant at this stage. In the First Information Report as well as in the statement of witnesses, there is specific mention with regard to demand of cash of Rs.6,00,000/- as dowry, besides 18 tulas of gold, motor cycle, house hold articles and marriage expenses, in total Rs.15,00,000/-. There is also mention of harassing the 2nd respondent for additional dowry, causing mental and physical agony. Therefore, it cannot be said that there are no grounds to frame charges under Section 498A I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961, and proceed with the case. The application is devoid of merit and is liable to be dismissed.

6. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions, if any, pending in this petition shall stand closed.

MARCH 28, 2019
YVL

Dr. SHAMEEM AKTHER, J

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Date:28.03.2019

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