

**THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

**W.P.NO.3495 OF 2019**

**ORDER**

The case of the petitioner is that the unofficial respondent No.5, suppressing his first marriage, married her, and further, along with his parents, has been harassing her both mentally and physically for additional dowry. Unable to bear the harassment, she filed report before the Police Station, Rachakonda, Jawaharnagar against the 5<sup>th</sup> respondent and his parents. The said report was registered in Cr.No.13/2019 for the offences punishable under Sections 420, 498-A and 506 IPC and Sections 3 and 4 of Dowry Prohibition Act. The grievance of the petitioner is that the allegations in the complaint reveal offences punishable under Sections 494 and 495 of IPC against the 5<sup>th</sup> respondent, but the police have not included the said offences in the FIR. Therefore, she seeks for a direction to the 4<sup>th</sup> respondent – Station House Officer, Jawahar Nagar Police Station, Medhal – Malkajgiri district, to include the said offences in the FIR registered against the 5<sup>th</sup> respondent and others, and conduct investigation and take action in accordance with law.

Learned Assistant Government Pleader for Home produced the written instructions of the Sub Inspector of Police, Jawaharnagar I Police Station, Rachakonda Commissionerate, wherein it is stated *inter alia* that after completion of the full-fledged investigation into the case, charge sheet has been filed before the court of XXI Metropolitan Magistrate, Cyberabad at Medchal on 28.01.2019 and the same is yet to be taken on file by the court. It is further stated that there are no ingredients to attract the provisions of Sections 494 and 495 IPC against the 5<sup>th</sup> respondent, and if the petitioner is aggrieved, it is always open to the petitioner to putforth her case before the court and if the court is satisfied, it can add the said sections during the course of trial.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home.

From the written instructions it is clear that investigation is completed and charge sheet is also filed. In view of the same, writ petition is disposed of leaving it open to the petitioner to put forth her case with regard to allegations under Sections 494 and 495 of IPC before the trial court, and it is for the said court to consider the same in accordance with law.

Interlocutory applications pending, if any, shall stand closed. No order as to costs.

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**A.RAJASHEKER REDDY,J**

DATE:04—06—2019

AVS

