

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1694 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.1, for grant of anticipatory bail in Crime No.36 of 2019 of Women Police Station, Charminar, Hyderabad, registered for the offences punishable under Sections 498-A, 406 and 506 of IPC and Section 6 of Dowry Prohibition Act.

2. Heard the learned counsel for the petitioner/A.1, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. Learned counsel for the petitioner/A.1 would submit that no demand of dowry was made. The reason for lodging a report with the police is strained relations between the parties and ultimately prayed to allow the petition.

4. Learned Additional Public Prosecutor representing the respondent/State opposed the grant of anticipatory bail to the petitioner/A.1 and ultimately prayed to dismiss the petition.

5. As per the FIR, dated 01.03.2019, when the marriage was fixed between the *de facto* complainant and the petitioner/A.1, there was no demand of dowry. At the time of distribution of marriage cards, the petitioner/A.1 and his family members demanded 30 tulas of gold, bike, other articles and also demanded that the marriage function should be held at Goda Matt function hall. Those demands were fulfilled by the parents of the *de facto*

complainant. When the *de facto* complainant joined her marital life, the petitioner/A.1 being her husband did not participate in physical relationship with her, avoided her and caused mental and physical cruelty to her. There is specific mention about the behaviour of the petitioner/A.1 to the effect that whenever the *de facto* complaint used to call him, he never responded her and used to say that the marriage is not to have sex and all. There are allegations of picking up quarrels and beating the *de facto* complainant by the petitioner/A.1. There are also other allegations of dowry harassment. Under these circumstances, it is not a fit case to consider this bail petition under Section 438 of Cr.P.C.

6. In the result, the Criminal Petition is dismissed.

Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand dismissed.

DR. SHAMEEM AKTHER, J

Date: 09.04.2019
ssp