

THE HON'BLE JUSTICE G.SRI DEVI

Criminal Petition No.2633 of 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/complainant in D.V.C.No.4 of 2016, seeking a direction to the Court of XIII Metropolitan Magistrate, Cyberabad, Ranga Reddy District at L.B.Nagar, to dispose of D.V.C.No.4 of 2016 pending on its file, expeditiously.

2. Heard Sri Rakee Sridharan, learned counsel for the petitioner and perused the record. Since only a direction is sought for expeditious disposal of the Domestic Violence Case pending before the Court below, this petition is being disposed of at the admission stage without ordering notices to the respondents.

3. The learned counsel for the petitioner would submit that the petitioner herein is the aggrieved party in D.V.C.No.4 of 2016 on the file of XIII Metropolitan Magistrate, Cyberabad, Ranga Reddy District at L.B.Nagar; the said Domestic Violence Case was filed on 29.02.2016 and it underwent several adjournments from 07.06.2018 to 14.03.2019 for trial; the said Domestic Violence Case is still pending before the Court below without substantial progress and no proper appearance of the respondents therein and ultimately sought a direction to the Court below to dispose the said Domestic Violence Case expeditiously.

4. Admittedly, the subject Domestic Violence Case was filed on 29.02.2016. Though three years have elapsed from the date of

filing of the subject DVC, there is no substantial progress in the matter, for one reason or the other. Protection of Women from Domestic Violence Act, 2005, is a beneficial legislation enacted to provide speedy remedy to the persons, who alleges domestic violence against them by the relatives mentioned in the Act. Sub Section (5) of Section 12 of the Protection of Women from Domestic Violence Act, 2005, stipulates that the Magistrate shall endeavour to dispose of every application made under Sub Section (1) within a period of 60 days from the date of its first hearing. Therefore, the said provision mandates that the Magistrate is bound to dispose the matter as expeditiously as possible. Under these circumstances, this Court is of the considered view that it is a fit case to direct the Court below to dispose of the subject Domestic Violence Case pending on its file since a long time, expeditiously.

5. Accordingly, the learned XIII Metropolitan Magistrate, Cyberabad, Ranga Reddy District at L.B.Nagar, is directed to dispose of D.V.C.No.4 of 2016 pending on its file, as expeditiously as possible, in any event not later than six (06) months from the date of receipt of a copy of this order, without giving any unnecessary adjournments to either of the parties.

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

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

JUSTICE G.SRI DEVI

12th June, 2019
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