

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

CRIMINAL PETITION No.2049 of 2019

ORDER:

The petitioner is aggrieved by the registration of D.V.C.No.40 of 2019 on the file of the learned III Additional Metropolitan Magistrate-cum-III Additional Junior Civil Judge, Cyberabad at L.B.Nagar. He seeks quashing of the proceedings in the said case.

In the light of the judgment in GADDAMEEDI NAGAMANI V/ s. STATE OF TELANGANA¹, this quash petition is not maintainable as Section 29 of the Protection of Women from Domestic Violence Act, 2005 affords an efficacious remedy by way of an appeal against the act of the Court below in taking cognizance and numbering the D.V.C.

The criminal petition is accordingly dismissed leaving it open to the petitioner to avail the appellate remedy in accordance with the due procedure. Needless to state, the petitioner would be at liberty to file applications, as set out in para 21 of GADDAMEEDI NAGAMANI before the appellate Court. I.A.No.1 of 2019 shall also stand dismissed.

JUSTICE SANJAY KUMAR

Date:17.04.2019

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¹ 2015 (2) ALD (CRL.) 764