

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No. 3253 OF 2019

ORDER :

1. This Criminal Petition is filed under Section 482 Cr.P.C. seeking quashing of investigation in Crime No.51 of 2019 of Nereducherla Police Station, registered against the petitioners for the offences punishable under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

2. The facts in issue are as under:

The marriage of petitioner No.1 with the first respondent was solemnized 03.05.2018 and both of them lived happily for a period of three months. Thereafter, all the petitioners are alleged to have harassed the first respondent to get additional dowry of Rs.5,00,000/- . Basing on the complaint made by the first respondent, a case in Crime NO.51 of 2019 of Nereducherla Police Station, Suryapet District, came to be registered.

3. Learned counsel for the petitioners submitted that the complaint lodged by the first respondent is false and frivolous and only for the purpose of harassing the petitioners. As a counterblast to the legal notice dated 08.05.2018 the present case has been foisted against the petitioners. He further submitted that the reply notice issued by the first respondent makes it clear that no dowry was given to the petitioners as such demanding of additional dowry would not arise.

4. From a perusal of the First Information Report, *prima facie* cognizable offences are made out against the petitioners therefore, I do not find any cogent reason to quash the first information. Hence, the prayer for quashing the first information report in respect of all the petitioners is refused.

5. However, in the facts and circumstances of the case and the submissions made by the learned counsel for the petitioners, it is directed that petitioners 2 to 6/accused No.2 to 6 shall not be arrested, in the aforesaid case till filing of the final report, subject to the condition that they shall co-operate with the investigation and shall appear as and when called upon to assist in the investigation. It is made clear that the petitioner No.1 is not entitled for any such relief.

6. With the above direction, the Writ Petition is disposed of. As a sequel thereto, Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand dismissed.

JUSTICE G. SRI DEVI

25.06.2019
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