

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

Crl.P.No.3440 of 2019

ORDER

This petition is filed under Section 482 Cr.P.C., seeking to quash the proceedings in C.C.No.41 of 2018 on the file of the Additional Judicial First Class Magistrate, Bhongir, registered for the offence under Section 498-A IPC and under Sections 3 and 4 of Dowry Prohibition Act, against the petitioner/A2.

2. Heard learned counsel for the petitioner and learned Public Prosecutor for the 1st respondent-State.

3. The petitioner/A2 is the father-in-law of the 2nd respondent-de facto complainant and A1, who is her husband, died on 23.03.2019. The case of the petitioner is that the allegations made in the charge sheet are all false.

4. Learned counsel for the petitioner submits that there is no material with respect to the alleged demand of additional dowry by the petitioner and therefore, the charge sheet is liable to quashed against him.

5. Learned Public Prosecutor has opposed the same stating that the question as to whether the petitioner/A2 had harassed the 2nd respondent by demanding additional dowry or not, is required to be considered after trial.

6. Having regard to the aforesaid submissions and a perusal of the charge sheet, which was filed on 08.08.2017, would disclose that there are specific allegations against the accused that they demanded the 2nd respondent to get higher amount towards

additional dowry. The question as to whether there was demand of additional dowry or not, is a matter of evidence, which can be considered only after trial and therefore, this Court is not inclined to interfere with the impugned proceedings. However, the presence of petitioner/A2 before the trial Court is dispensed with except on the dates whenever his presence is required by the trial Court and he shall be represented by his counsel.

7. Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions, if any pending in this criminal petition, shall stand closed.

1st July, 2019
sj

CHALLA KODANDA RAM, J

