THE HONOURABLE SRI JUSTICE SANJAY KUMAR

CRIMINAL PETITION NOS.112, 2849, 5291, 5405, 6457, 7568, 8575, 8577, 8703, 9395, 10401, 11809, 12475, 13166, 13709, 14354 OF 2013;

3514, 3522, 3552, 3873, 3927, 3983, 4306, 4545, 4724, 4745, 5367, 5375, 8193, 8711, 8855, 11700, 12334, 12695, 12773, 12837, 12847, 13144 OF 2018;

480, 545, 659, 686, 743, 777, 784 AND 818 OF 2019

COMMON ORDER

All these cases are filed under Section 482 CrPC seeking either quashing of registration of cases under the Protection of Women from Domestic Violence Act, 2005 (for brevity, 'the Act of 2005') or quashing of orders passed in such cases.

However, in the light of the judgment in GADDAMEEDI NAGAMANI V/s. STATE OF TELANGANA[1], which held to the effect that quash petitions would not be maintainable in relation to the proceedings in cases registered under the Act of 2005, as Section 29 thereof affords an efficacious remedy by way of an appeal against the act of the Court below in either taking cognizance and numbering the DVC or in passing orders therein, these quash petitions are not maintainable. They are accordingly dismissed leaving it open to the petitioners to avail the appellate remedy provided to them as per the due procedure. It would be open to the petitioners to move applications before the appellate Court, as set out in para 21 of GADDAMEEDI NAGAMANI.

Interlocutory applications pending in these cases, if any, shall also stand dismissed.

_____

SANJAY KUMAR, J

23rd APRIL, 2019
Svv

[1] 2015 (2) ALD (CRL.) 764