

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5780 of 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 filed by the petitioners, who are respondent Nos. 2 to 5 in DVC No.5 on the file of the Judicial Magistrate of First Class, Kalwakurthy, seeking to quash the proceedings in the aforesaid DVC including their appearance.

The case of the 2nd respondent/complainant is that the petitioners 1 to 4 are her parents-in-law, sister-in-law and husband of sister-in-law respectively. Her marriage was solemnized on 16.03.2017 with respondent No.1 in DVC by offering 3lakhs cash, 20 tulas gold and other household articles worth one lakh. After marriage, she jointed matrimonial home, and lead happy marital life for about two months and thereafter they were shifted to a rented house at Sagar Complex, Hyderabad. Her husband used to maintain Geetanjali Study Circle at B.N.Reddy Nagar being the owner of the library. She became pregnant and when she informed the same to her parents-in-law and her sister-in-law-the petitioners herein, her sister-in-law and her husband insisted her to get pregnancy aborted as her husband/respondent No.1 of DVC is not interested. Then her husband got it aborted and instructed her to leave him and go to her parental home. When she refused, he beat her and forcibly sent away to her maternal home in the month of February, 2018 stating that he is interested in another

lady by name Geetanjali and going to marry her. In spite of her repeated requests, they did not allow her to come back to marital life.

Heard learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for the petitioners contend that the petitioners have not committed any offence as alleged against them. The complainant never lived with the petitioners. The petitioners have nothing to do with the alleged abortion of the complainant. The petitioners 1 and 2, in-laws of the defacto-complainant are residing at Appareddypally village, Madgul Mandal, whereas the petitioner No.3 married sister of the defacto-complainant living at Hasthinapuram, Hyderabad in her matrimonial home. The complainant only with an intention to score out her disputes with her husband, impleaded the petitioners herein in DVC. The petitioners never lived in a common shared household. Hence prays to quash the proceedings in the aforesaid DVC.

On the other hand, the learned Additional Public Prosecutor opposed the relief sought in the above petition.

As there are specific allegations against the petitioners in the complaint of the 2nd respondent herein, I am not inclined to quash proceedings in the aforesaid DVC. However, the appearance of the petitioners in the aforesaid DVC in the Court of Judicial Magistrate of First Class, Kalwakurthy, is dispensed with.

Accordingly, the Criminal Petition is disposed of.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE G. SRI DEVI

20.09.2019.

Vvr



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Dt.20.09.2019
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