

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.7675 OF 2014

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/respondent Nos.2 and 3 seeking to quash the proceedings in D.V.C.No.51 of 2014 on the file of III Metropolitan Magistrate, Hyderabad.

2. Heard learned counsel for respondent No.2/complainant and the learned Additional Public Prosecutor representing respondent No.1/State. Perused the record.

3. No representation for the petitioners/respondent Nos.2 and 3.

4. The dispute is with regard to taking cognizance and proceeding with the impugned proceedings by D.V.C. Court. In view of the decision rendered by this Court in Gaddameedi Nagamani v. State of Telangana and others¹, the order of taking cognizance by the Magistrate under the provisions of the Protection of Women from Domestic Violence Act, 2005 (for short, 'the Act'), is appealable under Section 29 of the Act. Under these circumstances, the petitioners/respondent Nos.2 and 3 are at liberty to agitate their grievance under Section 29 of the Act before the Court of Session.

¹ 2015 (2) ALD (CrI.) 764 (A.P.)

5. With the above observation, the Criminal Petition is disposed of. Interim order granted by this Court on 17.07.2014 stands vacated.

Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

Dr. SHAMEEM AKTHER, J

March 26, 2019.
MD

