

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.4012 OF 2020

ORDER:

This petition is filed under Section 482 Cr.P.C., to quash the proceedings in Crime No.759 of 2020 pending on the file of Miyapur Police Station, Cyberabad. Petitioners are A2, A3, A4 & A6 in the said Crime. The offences alleged against the petitioners are under Sections 498-A IPC and 3 & 4 of Dowry Prohibition Act.

2. Heard Sri V. R. Machavaram, learned counsel for the petitioners and the learned Public Prosecutor for the State.

3. Learned counsel for the petitioners would submit that the marriage between the 2nd respondent and the accused No.1 was performed on 13.11.2017. Thereafter, they went to USA. The petitioners, being the parents, sister and cousin of A1, are nothing to do with the matrimonial life of A1 and the 2nd respondent. At present A1 is in USA.

4. The above said submissions *prima facie* would reveal that there are disputes between the 2nd respondent and A1 with regard to their matrimonial life. The petitioners 1 and 2 are parents, 3rd petitioner is sister and the 4th petitioner is cousin of A1. The 3rd petitioner is residing in Bangalore. The petitioners are nothing to do with the matrimonial life of the 2nd respondent and A1.

5. Considering the said aspects and also in view of the fact that the punishment for the offences alleged against the petitioners is seven years and below seven years, this Criminal Petition is disposed of directing the Police, Miyapur Police Station, Cyberabad, to follow the procedure laid down under Section 41-A Cr.P.C., and also the guidelines issued by the Hon'ble Apex Court in **Arnesh Kumar v. State of Bihar and another**¹. Till completion of investigation and filing of charge sheet, the Police are directed not to arrest the petitioners in the above said crime.

Miscellaneous petitions, pending if any, shall stand closed.

September 17, 2020

KTL

K. LAKSHMAN, J

¹ (2014) 8 SCC 273