

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.663 OF 2021

ORDER:

This application is filed under Section 482 Cr.P.C., to quash the proceedings in Crime No.03 of 2021, pending on the file of the Women Police Station, Mahaboobnagr. The offences alleged against the petitioners are under Sections 498-A, 420, 323, 504, 506 IPC and Sections 3 and 4 of the Dowry Prohibition Act.

Heard learned counsel for the petitioners, learned Public Prosecutor and Sri N.S.Arjun Kumar, learned counsel for the 2nd respondent.

Learned counsel for the petitioners would submit that the 3rd petitioner got married long back and she is nothing to do with the matrimonial life of A1 and the 2nd respondent.

On perusal of the complaint would reveal that there are matrimonial disputes between A1 and the 2nd respondent. In the complaint dated 09.01.2021, the *de facto* complainant has narrated the entire facts. It appears that the allegations are against A1. There are no specific allegations against the petitioners herein. The 1st and 2nd petitioners are parents and the 3rd petitioner is married sister of A1.

Considering the said submissions, and also the fact that the punishment prescribed for the offences alleged against the petitioners are imprisonment of seven years or below seven years, the Criminal Petition is disposed of directing the Police, Women Police Station, Mahaboobnagar, to follow the procedure laid under Section 41-A of Cr.P.C., and also the guidelines issued by the Apex

Court in **Arnesh Kumar v. State of Bihar and another**¹. The Police are directed not to arrest the petitioners till the completion of investigation and filing of charge sheet. The petitioners shall co-operate with the investigating office in concluding the investigation.

Miscellaneous petitions pending, if any, shall stand closed.

K. LAKSHMAN, J

15.02.2021
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¹ (2014) 8 SCC 273