

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

MONDAY, THE TWENTY FIFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO: 7572 OF 2021

Between:

K. Sunil Kumar, S/o K. Bapu Rao, Aged 34 years, Occ. Software engineer, R/o H.No.10-57, Venkateswara Colony, Mamidipally, Armoor, Nizamabad District Presently residing at 5357, Colombia road, Apt C, Colombia MD 21044, USA, Represented by his GPA Holder K. Bapu Rao S/o Ramulu, Aged about 62 years, Occ. Retd. Bank Employee, R/o H.No.10-57, Venkateswara colony, Mamidipally, Armoor, Nizamabad District.

...PETITIONER/ACCUSED No.1

AND

1. State of Telangana, Through P.S. Saroomagar, WPS, R.R. District, represented by the Public Prosecutor High Court of Judisatufe at Hyderabad for the State of Telangana
2. D.Satyanarayana Murthy @ D.U.B.V.S.N.Murthy, S/o D.Malleswara Rao, Aged about 55 years, Occ. Pvt. Employee, R/o H.No.5-2-194/94 SP, Maruthi Nagar, Vanastalipuram. Hyderabad - 500 070

...RESPONDENT/COMPLAINANTS

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the CC No. 918 of 2021 am the file of the Hon'ble V Additional Metropolitan Magistrate Cyberabad, Ranga Reddy District registered for the offences punishable under Sections 498-A, 417, 406, 504, 34 of IPC r/w Section 3 and 4 of DP Act as against the petitioner herein.

I.A. NO: 1 OF 2021

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant stay of all further proceedings as against the petitioners in CC No. 918 of 2021 on the file of the Hon'ble V Additional Metropolitan Magistrate, Cyberabad, Ranga Reddy District for the offences punishable under Sections under Sections 498-A, 417, 406, 504, 34 of IPC r/w Section 3 and 4 of DP Act including the arrest of the petitioner.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri A. Ananthsen Reddy, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1.

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.7572 of 2021

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), is filed by the petitioner/A1 seeking to quash the proceedings against him in C.C.No.918 of 2021, wherein cognizance was taken for the offences punishable under Sections 498A, 417, 406 and 504 read with 34 of IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961.

2. Heard the learned counsel for the petitioner/A1, the learned Assistant Public Prosecutor representing the respondent No.1-State and perused the record.

3. Learned counsel for the petitioner/A1 would submit that the victim in this case was divorcee. All the allegations made against the petitioner/A1 are false. The petitioner/A1 is residing in USA and it is difficult for him to come to India to attend the criminal proceedings. Further, there is no material to proceed against the petitioner/A1 and ultimately prayed to allow the criminal petition as prayed for.

4. Learned Assistant Public Prosecutor opposed the criminal petition.

5. As seen from the material placed on record, there are specific and grave allegations against the petitioner/A1 constituting the offences punishable under Sections 498A, 417, 406 and 504 read with 34 of IPC and Sections 3 and 4 of Dowry Prohibition Act,

1961. Hence, filing of charge sheet and taking cognizance for the offences punishable under Sections 498A, 417, 406 and 504 read with 34 of IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961 cannot be faulted. There are no grounds to quash the proceedings as prayed for.

6. At this juncture, the learned counsel for the petitioner/A1 seeks permission of this Court to withdraw the criminal petition.

7. Permission is accorded.

8. Accordingly, the Criminal Petition is dismissed as withdrawn.

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

//TRUE COPY//

SD/-M.MANJULA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The V Additional Metropolitan Magistrate, Cyberabad, Ranga Reddy District at L.B. Nagar.
2. The Station House Officer, Police Station Saroomagar WPS, Ranga Reddy District.
3. One CC to Sri A. Ananthsen Reddy, Advocate [OPUC]
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
5. Two CD Copies
6. One Spare Copy

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[Handwritten signature]

HIGH COURT

DATED: 25/10/2021

ORDER

CRLP.No.7572 of 2021



DISMISSING THE CRIMINAL PETITION
AS WITHDRAWN

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9/11/21
JH