

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

**THURSDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY ONE**

**PRESENT
THE HONOURABLE Dr. JUSTICE SHAMEEM AKTHER**

CRIMINAL PETITION NO: 7781 OF 2021

Between:

1. Hukmi Chand Solanki, S/o. Bhawarlal Solanki,
2. Smt. Rami Devi, W/o. Hukmi Chand Solanki,

...PETITIONERS/ACCUSED NOS. 2 & 3

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana, at Hyderabad, through S.H.O. P.S. Jeedimetla, Rangareddy District, T.S.
2. Smt. Suman Sankla, W/o. Sajanlal Sankla,

...RESPONDENTS/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 Proceedings in S.C. No. 167 of 2021 on the file of the Hon'ble XIII Additional District and Session Judge, Rangareddy at L.B. Nagar for the offence punishable under Section 304-B of I.P.C. and Sec. 3 and 4 of D.P. Act to secure the ends of justice as the same is nothing but abuse of process of law and the court

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 Stay of all further Proceedings in S.C. No. 167 of 2021 on the file of the XIII Additional District and Sessions Judge, Rangareddy at L.B.Nagar including appearance of the petitioners or dispense of the petitioners in S.C. No. 167 of 2021 on the file of the XIII Additional District and Sessions Judge, Rangareddy at L.B.Nagar pending disposal of the above Criminal Petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri TARIGOPPULA AMARENDER, Advocate for the Petitioners and of the Additional Public Prosecutor on behalf of the Respondent No.1 and of the Respondent No.2 not appeared either in person or by Advocate.

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.7781 OF 2021

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A2 and A3 to quash the proceedings against them in S.C.No.167 of 2021 on the file of XIII Additional Sessions Judge, Ranga Reddy District at L.B. Nagar, wherein cognizance was taken for the offences punishable under Section 304B of I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

2. Heard the learned counsel for the petitioners/A2 and A3, learned Assistant Public Prosecutor appearing for respondent No.1/State and perused the record.

3. Learned counsel for the petitioners/A2 and A3 would submit that the allegations made against the petitioners/A2 and A3 do not constitute the alleged offences. No specific overt acts are attributed against the petitioners/A2 and A3. The petitioners/A2 and A3 are falsely implicated in the subject case. Hence, continuation of proceedings against the petitioners/A2 and A3 in the subject case is nothing but abuse of process of law and ultimately, prayed to allow the Criminal Petition as prayed for.

4. During the course of hearing, it is brought to the notice of this Court that charges are not yet framed by the trial Court in the subject S.C.

5. As seen from the material placed on record, petitioners/A2 and A3 are the parents-in-law of the deceased-Smt. Rushika

Solanki. The petitioners/A2 and A3 along with A1 harassed the deceased physically and mentally for want of additional dowry and unable to bear the harassment, the deceased committed suicide by hanging in her in-laws house. In view of the nature of the allegations, it cannot be said that continuation of proceedings against the petitioners/A2 and A3 in the subject S.C. is abuse of process of law. It is pertinent to state that the inherent jurisdiction of the High Court under Section 482 Cr.P.C., can be exercised to quash the proceedings in a proper case, either to prevent the abuse of process of any Court or otherwise to secure the ends of justice. In the instant case, none of the circumstances mentioned above do exist for quashing the proceedings against the petitioners/A2 and A3 in the subject S.C. by exercising inherent jurisdiction of this Court under Section 482 Cr.P.C. Since it is brought to the notice of this Court that charges are not yet framed in the subject S.C., the petitioners/A2 and A3 are at liberty to file an application under Section 227 Cr.P.C. before the trial Court seeking discharge, if they choose to do so. In the event of the petitioners/A2 and A3 filing such an application, the trial Court shall dispose of the same, independently, on merits, in accordance with law.

6. With the above observations and direction, this Criminal Petition is disposed of.

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

Sd/-L.SIVA PARVATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The XIII Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar.
2. The XXI Metropolitan Magistrate, at Medchal, Cyberabad.
3. The Station House Officer, P.S. Jeedimetta, Cyberabad.
4. Two CCs to Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
5. One CC to Sri Tarigoppula Amarender, Advocate (OPUC)
6. Two CD Copies
7. One Spare Copy

Kj.

HIGH COURT

DATED:28/10/2021



ORDER

CRLP.No.7781 of 2021

DISPOSED OF CRL.P.

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[Signature]
07/12/2021