

THE HON'BLE SMT.JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION NO.4457 of 2022

ORDER

1. This Criminal Petition is filed by the petitioner/accused No.4 under Section 482 Criminal Procedure Code, seeking to quash the proceedings against her in connection with Crime No.267 of 2017 of Women's Police Station, Saroor Nagar, registered for the offence under Sections 498-A, 323, 506 and 494 of Indian Penal Code and Section 3 and 4 of Dowry Prohibition Act.

2. Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor for the respondent No.1-police.

3. As per the complaint dated.18.11.2017, the marriage of the accused No.1 with the 2nd respondent was performed on 04.12.2011. Thereafter, the accused No.1, at the instance of accused No.2 to 4, started harassing the *de facto* complainant both mentally and physically demanding additional dowry of Rs.20 Lakhs and further A1 contacted second marriage with accused No.5.

4. Sri T.Srujan Kumar Reddy, learned Counsel appearing for the petitioner would submit that, the allegations levelled against the petitioner are baseless and that at the time of alleged incident the petitioner was in America with her husband and that as per the charge sheet there are no specific allegations against the petitioner.

5. Considering the fact that it is a matrimonial dispute between the accused No.1 and the de facto complainant, and since the petitioner is living in U.S.A. with her husband, this petition is disposed off directing the Investigating Officer in Crime No.267/2017 pending on the file of Women's Police Station, Saroor Nagar, to strictly follow the procedure laid down under Section 41-A Cr.P.C. and also the guidelines issued by the Apex Court in **Arnesh Kumar Vs.State of Bihar**¹. The Investigating authority and the Police, R.G.I, Shamshabad police are also directed not to arrest the petitioner under the guise of LOC, if any issued in Crime No.267 of 2017 or under the guise of investigation.

¹ (2014) 8 SCC 273

6. As a sequel, the miscellaneous Petitions, pending if any, shall stand closed.

Date:19/5/2022
trr

JUVVADI SRIDEVI, J

THE HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRL.P.NO.4457 OF 2022

DATE: 19.05.2022