

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

MONDAY, THE TWENTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 5190 OF 2022

Between:

1. Shishpal Singh Sharma S/o. Munilal, Aged about 61 years, Occ. Govt. Service, R/o. H.No 322, Dawla Village, Jhajjar, Harayana.
2. Rameshwari Sharma, W/o. Shishpal Singh Sharma, Aged about 55 years, Occ. Household, R/o. H.No 322, Dawla Village, Jhajjar, Harayana.
3. Mohit Kumar Sharma, S/o. Shishpal Singh Sharma, Age. 27 years, Occ. Student, R/o. H.No 322, Dawla Village, Jhajjar, Harayana.

...PETITIONER/ACCUSED NO.2 TO 4

AND

1. The State of Telangana and Another, Rep. by its Public Prosecutor, High Court at Hyderabad.
2. Smt. Rajyalakshmi Sharma, W/o. Vineeth Kumar Sharma, Age. 28 years, Occ. Pvt. Employee, R/o. 203, Siricon Enclave, Kushaiguda, Hyderabad.

...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 quash the CC. No. 2001 of 2019 on the file of XIX Addl. Metropolitan Magistrate, Malkajgiri registered for the offences U/sec. 498A, 506 IPC r/w Sec. 3 and 4 DP Act

I.A. NO: 2 OF 2022

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 in CC. No 2001 of 2019 on the file of XIX Addl. Metropolitan Magistrate, Malkajgiri registered for the offences U/sec. 498A 506 IPC r/w Sec 3 and 4 DP Act

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri C M R VELU, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No. 1 and none for the Respondent No. 2

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.5190 OF 2022

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., to quash the proceedings in C.C.No.2001 of 2019, pending on the file of XIX Additional Metropolitan Magistrate, Malkajgiri. The petitioners herein are Accused Nos.2 to 4 in the said C.C. The offences alleged against them are under Section 498-A of IPC and Sections 3 & 4 of Dowry Prohibition Act, 1961.

2. Heard the learned counsel for the petitioners and the learned Assistant Public Prosecutor. Perused the record.

3. Perusal of the record would reveal that the marriage of A-1 with the 2nd respondent was performed on 11.03.2016. Thereafter, it appears that matrimonial disputes arose between them. The allegation against the petitioners herein in the complaint filed by the 2nd respondent is that they used to harass her physically

and mentally and threatened her with dire consequences seeking mutual consent for separation/divorce from her. The said facts would reveal that there are matrimonial disputes between the A-1 and the 2nd respondent. In the charge sheet *prima facie*, there are certain allegations against the petitioners herein. They are triable issues and the petitioners have to face trial and prove their innocence. This Court cannot go into the same in an application filed under Section 482 Cr.P.C. Therefore, this Court is not inclined to quash the proceedings in C.C.No.11734 of 2019. The 1st and 2nd petitioners are parents and the 3rd petitioner is brother of A-1. In matrimonial disputes, identification of parties is not in dispute.

4. Considering the above said facts, this Criminal Petition is disposed of dispensing with the presence of petitioners herein/A-2 to A-4 in C.C.No.2001 of 2019, pending on the file of XIX Additional Metropolitan Magistrate, Malkajgiri. However, petitioners

herein shall appear before the said Court as and when their presence is required.

Miscellaneous Petitions, pending if any, shall stand closed.

SD/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XIX Additional Metropolitan Magistrate, Malkajgiri, Hyderabad
2. The Station House Officer, Rachakonda Police Station, Kushaiguda, Hyderabad
3. Two CCs to Public Prosecutor High Court of Judicature at Hyderabad (OUT)
4. One CC to SRI. C M R VELU, Advocate [OPUC]
5. Two CD Copies
6. One Spare Copy

BS

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HIGH COURT

DATED: 20/06/2022



ORDER

CRLP.No.5190 of 2022

DISPOSING OF THE CRIMINAL PETITION

⑧ VLV
7/7/22