

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

**THURSDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 10679 OF 2022

Between:

1. Khaja Mohammed Zaheeruddin S/o Late Khaja Mohammed Azeemuddin, aged about 40 years, Occ. Unemployed, R/o H.No.14-4-122, Mandi Bazar, Warangal.
2. Shameem Sultana, W/o Late Khaja Mohammed Azeemuddin aged 59 years, Occ. Housewife, R/o H.No.14-4-122, Mandi Bazar, Warangal.
3. Khaja Mohammaad Mazhar, S/o Late Khajas Mohammed Azeemuddin, aged 34 years, Occ. Business, R/o H.No.14-4-122, Mandi Bazar, Warangal.
4. Khaja Mohammaad Azhar, S/o Late Khaja Mohammed Azeemuddin, aged 36 years, Occ. Business, R/o H.No.14-4-122, Mandi Bazar, Warangal.
5. Khaja Mohammaad Nazeer, S/o Late Khaja Mohammed Azeemuddin, aged 38 years, R/o H.No.14-4-122, Mandi Bazar, Warangal.
6. Badrunnisa, W/o Late Mohammed Khursheed Ali, aged 57 years, Occ. Housewife, R/o H.No.14-3-204, Near Suffa High School, Mandi Bazar, Hyderabad.

...PETITIONERS/A1, A2, A4 to A7

AND

1. The State of Telangana Rep.by its Public Prosecutor. High Court for the State of Telangana at Hyderabad.
2. Fathima Tabassum, W/o Khaja Mohammed Zaheeruddin, aged 29 years, Occ. Household, R/o H.No.19-11-376, Shambunipet, Warangal.

...RESPONDENTS/DEFACTO COMPLAINANT

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 against the petitioners in C.C.No.317 of 2015 On the file of I Additional Judicial First Class at Warangal.

I.A. NO: 1 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 stay all further proceedings including appearance of the petitioners in C.C.No.317 of 2015 On the file of I Additional Judicial First Class at Warangal.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri KATIKA RAVINDER REDDY, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No. 1 and none appeared for the Respondent No. 2

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.10679 OF 2022****ORDER:**

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners-Accused Nos.1, 2, 4 to 7 to quash the proceedings against them in C.C.No.317 of 2015 pending on the file of I Additional Judicial first Class at Warangal. The offences alleged against the petitioners are under Sections 498-A and 506 of Indian Penal Code (for short "IPC") and Sections 3 and 4 of Dowry Prohibition Act (for short "DP Act").

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent – State. Perused the record.

3. A perusal of record would reveal that, the marriage of 2nd respondent with the Accused No.1 was performed on 03.12.2012 and thereafter matrimonial disputes arose between them.

4. After arguing sometime, learned counsel for the petitioners confines his prayer to dispense with the personal appearance of the petitioners before the trial Court.

5. Having regard to the facts and circumstances of the case and keeping in view that the Accused Nos.2 and 4 to 7 are the residents of Mandi Bazar, Warangal District, this Criminal Petition is disposed off with the following directions:

- i) The attendance of the petitioners – accused Nos.2, 4 to 7 is dispensed with in C.C.No.317 of 2015 pending on the file of 1 Additional Judicial first Class at Warangal, when represented by their counsel on record.
- ii) The attendance of the petitioners is dispensed subject to filing an affidavit by the petitioners stating that in their absence the proceedings conducted by their counsel will not be disputed by them in any manner and shall not dispute their identity also.
- iii) However, the petitioners shall appear before the learned Magistrate as and when their presence is required. In the event of the petitioners failure to appear when the Court directs, this order dispensing their attendance shall stand cancelled.
- iv) No such relief is granted as far as accused No.1 is concerned.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- L. SIVA PARVATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The I Additional Judicial First Class at Warangal,
2. The Station House Officer, Warangal Urban Women Police Station, Warangal
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SRI. KATIKA RAVINDER REDDY Advocate [OPUC]
5. Two CD Copies

VII

HIGH COURT

KS, J

DATED: 01/12/2022

ORDER

CRLP.No.10679 of 2022



Disposing of the Criminal Petition.

[Handwritten signature]
22/12/2022