

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11391 OF 2022

Between:

1. Shankar Bhai, W/o B. Goverdhan, Aged about 72 Years, Occ. Senior Citizen, R/o.H.No. 12-1-170/AP/333, Apco Colony, Fathullaguda, Nagole, Medchal-Malkajgiri District.
2. Sucharitha, W/o Narender, Aged about 40 Years, Occ. Housewife, R/o. Plot No. 19, B K Reedy Park, Nagole, Ranga Reddy District.
3. Narender, S/o Bikshamaiah, Aged about 45 Years, Occ. Business, R/o. Plot No. 19, B K Reedy Park, Nagole, Ranga Reddy District.
4. Swetha, W/o Satish, Aged about 38 Years, Occ. Housewife, R/o. Plot No. 23, Vidhyanagar Colony Chandanagar, Lingampally

...PETITIONERS/ACCUSED No.2 to 5

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Judicature at Hyderabad, For the State of Telangana.

...RESPONDENT NO.1

2. Bijja Manasaveena, W/o Bijja Pavan Teja, Aged about 31 years, Occ. Govt. Employee, R/o Plot No. 333, Apco Colony, Anandnagar, Nagole.

...RESPONDENT No.2/
DE-FACTO-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 in CC No.4440 OF 2022 on the file of III Additional Metropolitan Magistrate Cyberabad at LB Nagar for the offences U/Soc. 498-A, 323, 406, 506 IPC, 3,4 DPA

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 of all further Proceedings in C.C.No.4440 of 2022 on the file of III Additional Metropolitan Magistrate, Cyberabad at L.B. Nagar for the offences U/Sec. 498-A, 323, 406, 506 IPC, 3,4 DPA pending disposal of the criminal petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Rapolu Bhaskar, Advocate for the Petitioner and the Additional 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.11391 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.2 to 5 to quash the proceedings against them in C.C.No.4440 of 2022 pending on the file of III Additional Metropolitan Magistrate, Cyberabad at L.B.Nagar. The offences alleged against them are under Sections 498(A), 323, 406 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. On perusal of the record, the disputes arose out of marital discord in between the *de facto* complainant and the Accused No.1.

4. Though the petitioners have raised several grounds to quash the proceedings in the aforesaid case, learned counsel for the

petitioners requested this Court to dispense with the appearance of the petitioners, in the aforesaid case before the trial Court.

5. In view of the aforesaid submission, this Criminal Petition is disposed off with the following directions:

- i) The attendance of the petitioners – Accused Nos.2 to 5 is dispensed with in C.C.No.4440 of 2022 pending on the file of III Additional Metropolitan Magistrate, Cyberabad at L.B.Nagar, 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.

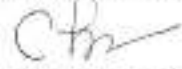
6. Needless to say, the petitioners are at liberty to file an application seeking discharge before the concerned Court. In the

event of such application being made, the concerned Court shall dispose it off on merits, within a period of four weeks from the date of filing.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/-B.SATYAVATHI
DEPUTY REGISTRAR


SECTION OFFICER

To,

1. The III Additional Metropolitan Magistrate, Cyberabad at L.B.Nagar
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
3. One CC to Sri Rapolu Bhaskar, Advocate [OPUC]
4. Two CD Copies

plp 

HIGH COURT

DATED:20/12/2022

ORDER

CRLP.No.11391 of 2022



DISPOSING OF THE CRIMINAL PETITION

(7) $\frac{VW}{5/1/23}$