

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

**FRIDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11257 OF 2022

Between:

1. Smt. Turab Unnisa Begum W/o Syed Mohsin Ali
2. Syed Mohsin Ali, S/o Late Syed Asghar

All are R/o H. No. 17- 6- 207 Sunar Lane, Dabeerpura, Hyderabad.

...PETITIONER/ACCUSED 2 & 3

AND

1. The State of Telangana Represented by its Public Prosecutor High Court, Hyderabad
2. Smt. Marzia Fatima, W/o Syed Mohammed Hasan Ali, Aged 22 years, Occ Housewife, R/o H. No. 22- 3- 947/23, MC Dabeerpura, Hyderabad.

...RESPONDENT/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 in C. C. No. 3160/2022 on the file of XV Additional Chief Metropolitan Magistrate at Hyderabad against the Petitioners / Accused 2 and 3 in the interest of justice.

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 stay all further proceedings including the appearance of the Petitioners / Accused 2 and 3 in C. C. No. 3160/2022 on the file of XV Additional Chief Metropolitan Magistrate at Hyderabad pending disposal of the main Criminal Petition, in the interest of justice

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

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.11257 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 who are accused Nos.2 and 3 to quash the proceedings against them in C.C.No.3160 of 2022 pending on the file of XV Additional Chief Metropolitan Magistrate at Hyderabad. The offences alleged against them are under Sections 498-A, 406, 506, 506 of Indian Penal Code (for short "IPC") and Section 4 and 6 of Dowry Prohibition Act.

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

3. The facts of the case is that the 2nd respondent-*de facto* complainant was married to accused No.1 on 25.06.2021 and at the time of marriage, certain dowry was given to accused No.1. Thereafter, accused No.1 and his family members started harassing complainant by demanding additional dowry.

4. Thus, having regard to the facts and circumstances of the case, the attendance of the petitioners Nos.1 and 2 herein –

Accused Nos.2 and 3 therein is dispensed with in C.C.No.3160 of 2022 pending on the file of XV Additional Chief Metropolitan Magistrate at Hyderabad. The offences alleged against them are under Sections 498-A, 406, 506, 506 of Indian Penal Code (for short "IPC") and Section 4 and 6 of Dowry Prohibition Act, when represented by their counsel on record. 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 also they shall not dispute their identity. 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 would stand cancelled.

5. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- L. SIVA PARVATHI
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The XV Additional Chief Metropolitan Magistrate at Hyderabad.
2. The Station House Officer, Women Police Station, South Zone, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SRI. SYED NAJMUL HASSAN BAQRI Advocate [OPUC]
- ✓ 5. Two CD Copies

HIGH COURT

KS, J

DATED: 16/12/2022

ORDER

CRLP.No.11257 of 2022



Disposing of the Criminal Petition

8
[Signature]
29/12/2022