

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

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

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11504 OF 2022

Between:

1. Syed Fareed, S/o. Syed Ali, Aged 69 years, Occ: Private Work.
2. Salma Begum, W/o. Syed Fareed, Aged 61 years, Occ: Household.

Both Residents of Plot No.13, Opposite VIP School, Shaheen Nagar,
Saroonagar, RR District.

...Petitioners/Accused No.2 & 3

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court at Hyderabad.
2. Smt. Asra Anjum, W/o. Syed Raheem Ahmed, Aged 30 years, Occ: Household, R/o. 18-12-418/B/94, Hafeez Baba Nagar, Kanchanbagh, Hyderabad.

...Respondents

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/Accused No.2 and 3 in CC No.3056/2019 on the file of the Hon'ble XV Additional Chief Metropolitan Magistrate, Hyderabad in the interest of justice.

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 the appearance of the Petitioners/Accused No. 2 and 3 in CC. No. 3056/2019 pending on the file of the Hon'ble XV Addl. Chief Metropolitan Magistrate at Hyderabad, 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 MOHD MUZAFERULLAH KHAN, Advocate for the Petitioners and of the Additional Public Prosecutor for the State of Telangana 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.11504 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 and 3 seeking to quash the proceedings against them in C.C.No.3056 of 2019 pending on the file of XV Additional Chief Metropolitan Magistrate, Hyderabad. The offences alleged against them are under Sections 498-A, 406 and 506 of Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.

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

3. Learned counsel for the petitioners confined his prayer to dispense with the personal appearance of petitioners - Accused Nos.2 and 3 as they are aged 69 and 61 years respectively and it is difficult for them to appear before the Court on each and every date of hearing.

4. Considering the submission of learned counsel for the petitioners, the attendance of the petitioners – Accused Nos.2 and 3 is dispensed with in C.C.No.3056 of 2019 pending on the file of XV Additional Chief Metropolitan Magistrate, Hyderabad, when represented by their counsel on record. The attendance of the petitioners – Accused Nos.2 and 3 is dispensed with subject to filing affidavits 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. However, the petitioners shall appear before the learned Magistrate as and when their presence is required. In the event of failure of the petitioners to appear when the Court directs, this order dispensing their attendance shall stand cancelled.

5. Accordingly, the Criminal Petition is disposed of. Needless to say, in the event of the petitioners filing an application under seeking discharge, the concerned Court shall dispose it of on merits within a period of four (04) weeks.

6. The learned XV Additional Chief Metropolitan Magistrate, Hyderabad, is directed to dispose of C.C.No.3056 of 2019, in

accordance with law as expeditiously as possible within a period of four (04) months from the date of this order.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- B. SATYAVATHI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The XV Additional Chief Metropolitan Magistrate, Hyderabad
2. The Station House Officer, Women Police Station, Charminar South Zone, Hyderabad
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri. MOHD MUZAFFER ULLAH KHAN, Advocate [OPUC]
5. Two CD Copies

PSR

BSR

HIGH COURT

DATED:22/12/2022

ORDER

CRLP.No.11504 of 2022



THE CRIMINAL PETITION IS DISPOSED OFF

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10/01/23
BSR