

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

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

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11600 OF 2022

Between:

1. Gajarla Ashok Kumar S/o Venkatesham, Aged about 65 years, Occ. Rtd. Lecturer, R/o 2-3-93, Bhoiwada, Karimangar, Karimangar District.
2. Gajarala Anuradha W/o Ashok Kumar, Aged about 55 years, Occ. Housewife, R/o 2-3-93, Bhoiwada, Karimangar, Karimangar District.

...PETITIONERS/RESPONDENTS No. 2 & 3

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad.
2. Gajarla @ Gade Nethra W/o Gajarla Arun Kumar, Aged about 26 years, Occ. Household, R/o H.No. 10-56/1/1/B, Hanuman Nagar, CPI Office Road, Husnabad town and Mandal, Siddipet District.

...RESPONDENTS/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 to quash the DVC. No. 14 OF 2022 on the file of the learned Judicial First Class Magistrate at Husnabad against the petitioners / Respondents No. 2 & 3.

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 appearance of the petitioners/ respondents No. 2 & 3 in pursuance of DVC. No. 14 OF 2022 on the file of the learned Judicial First Class Magistrate at Husnabad, pending disposal of the main Cr.P.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri ANIRUDH THIMMARAJU, 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.11600 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 D.V.C.No.14 of 2022 pending on the file of Metropolitan Magistrate at Husnabad.

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 respondent No.1 was performed on 13.06.2021 and thereafter matrimonial disputes arose between them.

4. Learned counsel for the petitioners confines his prayer to dispense with the personal appearance of the petitioners before the trial Court as they are facing difficulty in attending the Court on every date of hearing.

5. In view of the aforesaid submission, the attendance of the petitioners herein – respondent Nos. 2 and 3 is dispensed with in D.V.C.No.14 of 2022 pending on the file of Metropolitan Magistrate at Husnabad, 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 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 the petitioners failure to appear when the Court directs, this order dispensing their attendance shall stand cancelled.

6. Accordingly, the Criminal Petition is disposed off. Needless to say, in the event of the petitioners filing an application under Section 239 of Cr.P.C. seeking discharge, the concerned Court shall dispose it off on merits.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- G. SIREESHA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Husnabad
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
3. One CC to SRI. ANIRUDH THIMMARAJU Advocate [OPUC]
4. Two CD Copies

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BSR

HIGH COURT

DATED: 23/12/2022

ORDER

CRLP.No.11600 OF 2022



DISPOSING THE CRIMINAL PETITION

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10/01/23
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