

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

**TUESDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11704 OF 2022

Between:

- | | |
|--|---------------|
| 1. Kothagadi Shankaraiah, S/o. K.Ramaiah | Accused No.2 |
| 2. Kothagadi Parvathamma, W/o. K. Shankaraiah | Accused No.3 |
| 3. Golla Paparani (Pavani), W/o. Late Narayana | Accused No. 4 |
| 4. Dhugani Hemalatha (Chitti), W/o. Ajay | Accused No.5 |
| 5. Dhugani Ajay, S/o. Mallaiah, | Accused No. 6 |
| 6. Golla Meena, W/o. Jagan | Accused No. 7 |
| 7. Golla Jagan, S/o. Narayana | Accused No. 8 |
| 8. Erolla Aparna, W/o Ravi | Accused No. 9 |
| 9. Erolla Ravo, S/o Ramulu | Accused No.10 |

...PETITIONER HEREIN/ACCUSED NOS. 2 to 10

AND

1. The State of Telangana, Through Nawabpet Police Station Vikarabad District. Rep. by Public Prosecutor, High Court for the State of Telangana, High Court, Hyderabad.

...RESPONDENT HEREIN

2. Smt. Kothagadi Rajitha, W/o. Kothagadi Ramesh Aged about 25 years, Occ. House Hold, R/o. Arkathala Village, Nawabpet Mandal, Vikarabad Dist.

...RESPONDENT HEREIN/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 Cr.No. 168 of 2022 U/Sec. 307, 498(A) IPC and Secs. 3 and 4 OF D.P.Act R/W 34 IPC of Nawabpet Police Station, Vikarabad District.

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 pursuant to the registration of Cr.NO. 168 of 2022 U/Sec. 307, 498(A) IPC and Secs. 3 and 4 OF D.P. Act R/W 34 IPC of Nawabpet Police Station, Vikarabad District.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri G VAASUDEVUDU ,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.11704 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 10 to quash the proceedings against them in FIR No.168 of 2022 pending on the file of Station House Officer, Nawabpet Police Station, Vikarabad District. The offences alleged against them is under Sections 307, 498-A read with 34 of I.P.C., Sections 3, 4 of D.P.Act, Section 156(3) of Cr.P.C.

2. Heard both sides.
3. A perusal of the record would reveal that the petitioners are the relatives of the husband of the 2nd respondent. The main allegation is that the petitioners herein who were relatives supported the claim for additional dowry of Rs.5,00,000/- from the *de facto* complainant.
4. In the said circumstances, since the case is outcome of marital disputes in between the accused No.1 and the 2nd respondent-*de facto* complainant, this Court deems it appropriate to direct the the Investigating Officer in FIR No.168 of 2022

pending on the file of Station House Officer, Nawabpet Police Station, Vikarabad District, to strictly follow the procedure laid down under Section 41-A of Cr.P.C., and also the guidelines issued by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar**¹ scrupulously without taking any coercive steps. It is needless to say, any deviation in this regard will be viewed seriously. The petitioners shall co-operate with the Investigating Officer by furnishing information and documents as sought by him in concluding the investigation.

5. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- T. JAYASREE
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Judicial First Class Magistrate Special Mobile Court at Sangareddy.
2. The S.H.O., Kondapur P.S., Sangareddy.
3. Two CCs to the Public Prosecutor, High Court at Hyderabad. [OUT]
4. One CC to SRI. G VAASUDEVUDU Advocate [OPUC]
5. Two CD Copies

VII



¹ (2014) 8 SCC 273

HIGH COURT

KS, J

DATED: 27/12/2022



ORDER

CRLP.No.11704 of 2022

Disposing the Criminal Petition

(8) Copies
Sm
8/01/23