

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

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

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11826 OF 2022

Between:

Shaik Abdul Nazeer, S/o Shaik Rasheed, aged about 44 years, Occ- Job Abroad, R/o Flat No- 104, CUBIX Residency, CVR Enclave, Secundrabad. Represented by his GPA Holder, Mr. Syed Jaffar S/o Syed Abdul Saleem, aged about 44 years, Occ- Business, R/o Golconda, Hyderabad.

...PETITIONER

AND

1. State of Telangana, rep., by its PP High Court, For the Women Police Station Begumpet, Hyderabad

...RESPONDENT/COMPLAINANTS

2. Fareeda Begum, S/o Shaik Abdul Nazeer, Aged about 43 years, Occ- Household, R/o Flat No- 104, CUBIX Residency, CBR Enclave Yapral, R.R. Dist. presently residing at H. No- 1-18-61, Gunbazar, Rasoolpura, Secundrabad.

...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- 118 of 2018 on the file of the Honble XV Addl. Chief Metropolitan Magistrate, Hyderabad.

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 the further proceedings in C.C. No- 118 of 2018 on the file of the Hon'ble XV Addl. Chief Metropolitan Magistrate, Hyderabad and to pass

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri ASADULLA SHAREEF, Advocate for the Petitioner and the Public Prosecutor (TG/AP) on behalf of the Respondent No. 1 and none appeared for the Respondent No. 2.

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.11826 OF 2022

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking to quash the proceedings in C.C.No.118 of 2018 pending on the file of the XV Additional Chief Metropolitan Magistrate, Hyderabad. The petitioner herein is accused in the said cases. The offences alleged against him are under Section 498-A of IPC, Sections 4, 6 of D.P.Act.

2. Heard on both sides. Perused the record.
 3. A perusal of the record would reveal that the 2nd respondent was married to the petitioner herein on 12.01.2001. Later, the petitioner visited Saudi Arabia on job purpose. Thereafter, though the trial court had given permission twice to visit, he did not comply with the directions of the court to return and appear before the Court. In the said circumstances this Court is not inclined to entertain the prayer of the petitioner. Learned counsel for the petitioner submits that the Court does not have jurisdiction to entertain the charge sheet.
 4. Further, several grounds are raised by the learned counsel for the petitioner. However, they can be agitated before the trial Court.
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5. The petitioner can file a discharge application before the trial Court by raising all the aforesaid grounds and on such filing the concerned trial Court shall entertain the same, if charges are not framed.

6. Accordingly, the criminal petition is disposed of. No order as to costs.

Miscellaneous applications pending, if any, in this criminal petition, shall stand closed.

//TRUE COPY//

Sd/- T. JAYASREE
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The XVth Additional Chief Metropolitan Magistrate, Hyderabad
2. The Station House Officer, Begumpet Women's Police Station, Begumpet, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court at Hyderabad [OUT]
4. Two CD Copies
5. One CC to SRI. ASADULLA SHAREEF Advocate [OPUC]

VII

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HIGH COURT

KS, J

DATED: 29/12/2022

ORDER

CRLP.No.11826 of 2022



Disposing of the Criminal Petition

(8) Copies

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