

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11900 OF 2022

Between:

1. Damera Gopal, S/o.Damera Komurelly, Aged 33 years, Occ.Pvt. Employee, R/o H.No.28-4-107, Pegadapalle Village, Hasanparthy Mandal, Hanumkonda District.
2. Damera Amrutha, W/o.Damera Komurelly, Aged 55 years, Occ.Housewife, R/o.H.No.28-4-107, Pegadapalle Village, Hasanparthy Mandal, Hanumkonda District.
3. Damera Shoba, W/o.Chinna Damera Cheralu, Aged 38 years, Occ.Para Medical Staff, R/o.H.No.28-4-63, Pegadapalle Village, Hasanparthy Mandal, Hanumkonda District.
4. Chinna Damera Cheralu @ D.Charles, S/o.Chinna Damera Uppalaiah, Aged 42 years, Occ.Painter, R/o.H.No.28-4-63, Pegadapalle Village, Hasanparthy Mandal, Hanumkonda District.
5. Damera Komurelly, S/o.Damera Ailaiah, Aged 57 years, Occ.Govt. Employee, R/o.H.No.28-4-107, Pegadapalle Village, Hasanparthy Mandal, Hanumkonda District.
6. Pembarthi Shirisha, W/o.Anil, Aged 28 years, Occ.Housewife, R/o.S.C Colony, Kothagattu Singaram Village, Shayampet Mandal, Warangal District.
7. Pembarthi Anil, S/o.Saraiah, Aged 38 years, Occ.Govt. Employee, R/o.S.C Colony, Kothagattu Singaram Village, Shayampet Mandal, Warangal District.

...PETITIONERS/ACCUSED No. 1 to 7

AND

1. The State of Telangana, Through S.H.O, Women P.S Begumpet, Hyderabad, Rep. by its Public Prosecutor, High court at Hyderabad, Hyderabad.

...RESPONDENT

2. Damera Vidya Sri, W/o.Damera Gopal, D/o.Srinivas, Aged 28 years, Occ.Pvt. Employee, R/o.H.No.11-1-514/62, Ground Floor, Dhoodh Bavi, Chilkaiguda, Secunderabad.

...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 Criminal Proceedings against the Petitioners/Accused No.1 to 7 in Cr.No.173/2022 pending on the file of Women P.S Begumpet, Hyderabad.

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 grant stay of all further proceedings including Arrest of the Petitioners/Accused No.1 to 7 in Cr.No.173/2022 pending on the file of Women P.S Begumpet, Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri C. HARI PREETH, 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:

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.11900 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.1 to 7 to quash the proceedings against them in FIR No.173 of 2022 pending on the file of Station House Officer, Women Police Station, Begumpet, Hyderabad, registered for the offence punishable under Sections 498-A and 509 read with 34 of Indian Penal Code (for short "IPC") and Sections 4 and 6 of Dowry Prohibition Act.

2. Heard learned counsel for the petitioners – Accused Nos.1 to 7 and learned Additional Public Prosecutor for the respondent – State. Perused the material on record.

3. The case of the 2nd respondent – *de facto* complainant is that her marriage was performed with Accused No.1 on 20.08.2022 and thereafter marital disputes arose between them.

4. Keeping in view that the complaint is the outcome of marital discord in between Accused No.1 and 2nd respondent- complainant, this Court deems it appropriate to direct the Investigating Officer in respect of FIR No.173 of 2022 pending on the file of Station House Officer, Women Police Station, Begumpet, Hyderabad, to conclude the investigation without taking any coercive steps against the petitioners - Accused Nos.1 to 7. Further, the petitioners-Accused shall co-operate with the Investigating Officer as and when required for the purpose of investigation.

5. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- T.SRINIVAS
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XV Addl. Chief Metropolitan Magistrate at Hyderabad.
2. The Station House Officer, Begumpet Women Police Station, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad (OUT).
4. One CC to Sri C. HARI PREETH, Advocate [OPUC]
5. Two CD Copies

DL

HVA

HIGH COURT

DATED:30/12/2022



ORDER

CRLP.No.11900 of 2022

DISPOSING THE CRIMINAL PETITION

8/1/23
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