

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

**MONDAY, THE NINTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 241 OF 2023

Between:

1. Smt. Anjum Begum, W/o. Syed Shakeer Hussain, Aged about 56 years, Occ: Housewife,
2. Syed Shakeer Hussain, S/o. Late Syed Anwar Hussain, Aged about 64 years, Occ: Business,
(Both R/o. H. No. 5- 2- 4, Budwarpet, Nirmal)

...PETITIONERS/ ACCUSED NO.2 & 3

AND

1. The State of Telangana, rep. by its Public Prosecutor, High Court, Hyderabad.
2. Smt. Sadiya Fatima, W/o. Syed Irshad Hussain, Aged about 32 years, Occ: Housewife, R/o. H. No. 2- 3- 507, Ovice Nagar, Amberpet, Hyderabad.

...RESPONDENT/ DE-FACTO 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 C.C.No.192 of 2018 on the file of Hon'ble XIII Additional Metropolitan Magistrate at Nampally, Hyderabad and pass such other and further order deem just and necessary to the circumstances of the case.

I.A. NO: 1 OF 2023

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 proceeding including appearance of petitioners herein accused 2 and 3 respectively in C.C.No.192 of 2018 on the file of Hon'ble XIII Additional Metropolitan Magistrate at Nampally, Hyderabad and pass such other and further orders as deem just and necessary in the circumstances of case.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri VLADIMEER KHATOON, Advocate for the Petitioner and the Additional 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.241 OF 2023

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 to quash the proceedings against them in C.C.No.192 of 2018 pending on the file of XIII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad, registered for the offences punishable under Sections 498-A of IPC, Sections 3 and 4 of D.P.Act.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent No.1 – State. Perused the record.

3. Learned counsel for the petitioners confines his prayer to dispense with the attendance of the petitioners herein.

4. Thus, having regard to the facts and circumstances of the case, the attendance of the petitioners herein – Accused Nos.2 and 3 is dispensed with in C.C.No.192 of 2018 pending on the file of XIII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad, when represented by their counsel on record. The attendance of the petitioners-Accused Nos.2 and 3 is dispensed with 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 also they shall not dispute their identity. 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 would stand cancelled.

5. Accordingly, the Criminal Petition is disposed of, giving liberty to the petitioners to agitate all the issues and grounds that are raised before this Court by filing discharge application before the concerned Court. In the event of such application being made, the concerned Court shall dispose it off on merits, within a period of four (04) months from the date of filing.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

SD/- T. JAYASREE
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. XIII Additional Metropolitan Magistrate at Nampally, Hyderabad.
2. One CC to SRI. VLADIMEER KHATOON Advocate [OPUC]
3. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT]
4. Two CD Copies
KAR

BSR

HIGH COURT

DATED:09/01/2023

ORDER

CRLP.No.241 of 2023



DISPOSING OF THE
CRLP

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01/02/23
BSR