

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE TENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 289 OF 2023

Between:

Sharika Nandan Kaul, S/o. Shamboonath Kaul

...PETITIONER/ACCUSED NO.3

AND

1. The State of Telangana, Rep. by its Public Prosecutor, Through Station House Officer, Chandanagar Police Station.
2. Mrs. Shipra Tewari, W/o. Manohar Kaul Age. 41 years. Occ. Housewife R/o. Flat no. F-603, Aparna Grande Sarovar, Serilingampally, Ph. 8886115222.

...RESPONDENTS

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 proceedings against Petitioner herein in CC No. 9409 of 2022 on the file of the Court, Honble IX Addl. Metropolitan Magistrate Cyberabad at Kukatpally for the alleged offence under section 498-A, of IPC and Section 3 and 4 of Dowry Prohibition Act, 1961

I.A. NO: 2 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 stay all further proceeding in CC No. 9409 of 2022 on the file of the Court Honble IX Addl. Metropolitan Magistrate Cyberabad at Kukatpally for the alleged offence under section 498-A, of IPC and Section 3 and 4 of Dowry Prohibition Act, 1961

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri OMAR A PASHA, 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.289 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 petitioner-Accused No.3 to quash the proceedings against him in C.C.No.9409 of 2022 pending on the file of IX Additional Metropolitan Magistrate, Cyberabad at Kukatpally. The offences alleged against him are under Sections 498-A of IPC, Sections 3 and 4 of D.P.Act.

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

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

4. Thus, having regard to the facts and circumstances of the case, the attendance of the petitioner-Accused No.3 is dispensed with in C.C.No.9409 of 2022 pending on the file of IX Additional Metropolitan Magistrate, Cyberabad at Kukatpally, when represented by his counsel on record. The attendance of the petitioner-Accused No.3 is dispensed with subject to filing an affidavit by the petitioner stating that in his absence the proceedings conducted by his counsel will not be disputed by him in any manner and also he shall not

dispute his identity. However, the petitioner shall appear before the learned Magistrate as and when his presence is required. In the event of the petitioner failure to appear when the Court directs, this order dispensing his attendance would stand cancelled.

5. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- L. SIVA PARVATHI
ASSISTANT REGISTRAR

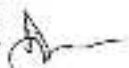
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SECTION OFFICER

To,

1. The IX Addl. Metropolitan Magistrate Cyberabad at Kukatpally
2. The Station House Officer, Chandanagar Police Station, Cyberabad Commissionerate
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad.(OUT)
4. One CC to SRI. OMAR A PASHA, Advocate [OPUC]
5. Two CD Copies

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HIGH COURT

KS,J

DATED:10/01/2023

ORDER

CRLP.No.289 of 2023



DISPOSING OF THE CRIMINAL PETITION.

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MA
24/1/23