

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE ELEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 349 OF 2023

Between:

1. Bochula (Bochu) Vijay Rao, S/o, Late B.Janardhan, Age. 28 years, Occ. Photographer
2. Bochula Anasuya, W/o. Late B. Janardhan, Age. 50 years, Occ. V.R.A,
3. Bochula Ajay, S/o Late B.Janardhan, Age. 25 years, Occ. Private Emoloyee,
(All the three R/o H.No. 3-41 SC wada, PachallaNadukuda Village, Velpur Mandal, Nizamabad District).

...Petitioners/Accused Nos. 1 to 3

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court, Through. SHO, P.S. Armoor
2. Konda @ Bochula Nakshatra, W/o. Vijay Rao, Age. 19 years, Occ. House wife, Caste. MadigaH.No. 9-06, Yogeshwar Colony, Armoor

...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 the proceedings in FIR No.429 of 2022, dated 22-10-2022 on the file of P.S., Armoor, Nizamabad District, against the Petitioners/Accused.

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; in FIR No.429 of 2022, dated 22-10-2022 on the file of P.S., Armoor, Nizamabad District including the appearance of the Accused till the disposal of the Main Quash Petition in the interest of the justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri N. SRUSHMAN REDDY, 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.349 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.1 to 3 to quash the proceedings against them in FIR No.429 of 2022 pending on the file of Station House Officer, Armour Police Station, Nizamabad, filed for the offences punishable under Sections 498-A and 354 of Indian Penal Code (for short "IPC") and Sections 3 and 4 of POCSO Act, 2012.

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

3. The 2nd respondent – *de facto* complainant is the wife of 1st petitioner herein.

4. According to the complaint of 2nd respondent dated 22.10.2022, she was married to the 1st petitioner on 21.10.2021 though she was not interested. Thereafter, the petitioner started

harassing her for property and a car and a camera were also given. However, the petitioner did not change his attitude in harassing the 2nd respondent.

5. Since the 2nd respondent claimed that she was aged less than years, the crime was registered under Sections 3 and 4 of POCSO Act.

6. However, as seen from the certificate of marriage, the 2nd respondent was aged 19 years, when the marriage took place. Predominantly, the contents of the complaint reflect that there were marital disputes between the 1st petitioner and 2nd respondent.

7. In the said circumstances, the Investigating Officer in respect of FIR No.429 of 2022 pending on the file of Station House Officer, Armour Police Station, Nizamabad, shall conclude investigation without taking any coercive steps against the petitioners – Accused. Further, the petitioners – Accused shall co-operate with the Investigating Officer as and when required for the purpose of investigation.

8. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

SD/- V. KAVITHA
ASSISTANT REGISTRAR

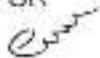


SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Armoor.
2. The Station House Officer, Armoor Police Station, Nizamabad District
3. Two CCs to Additional Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SRI. N. SRUSHMAN REDDY, Advocate [OPUC]
5. Two CD Copies

PSR



HIGH COURT

KS,J

DATED:11/01/2023

ORDER

CRLP.No.349 of 2023



DISPOSING OF THE CRIMINAL PETITION.

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[Signature]
22/01/2023