

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

THURSDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

**PRESENT
THE HONOURABLE SRI JUSTICE K.SURENDER**

CRIMINAL PETITION NO: 1049 OF 2023

Between:

1. Kamhari Shantha, W/o Mahender, Aged about 64 years, Occ House Wife, R/o. H.No. 2-83, Bhiknoor, Rajampet, Kamareddy District -503110.
2. Kamhari Siddavva, W/o Lingam, Aged about 55 years, Occ House wife, R/o. H.No. 2-83, Bhiknoor, Rajampet, Kamareddy District -503110.
3. Bejjanki Rajender, S/o B. Limbadri, Aged about 53 years, Occ Bank Employee, H-No. 10-294, Vasanthapuri Colony, Malkajgiri District -500047.

...PETITIONERS/ACCUSED 2 TO 4

AND

1. The State of Telangana, Rep by the Station House Officer, Yellareddypet Police Station, Rajanna Siricilla District Through the Public Prosecutor, High Court for the State of Telangana, Hyderabad.
2. Smt. Kamhari Swathi, W/o Santhosh, Aged about 36 years, Occ House wife, R/o. H.No.3-20, Racharla Boppapur Village, Yellareddypet Mandal, Rajanna Siricilla District -505305

...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 call for the records relating to and connected with Cr.No.07 of 2023, dated 06/01/2023, U/Sec 498 (A) IPC and Sec 4 of DP Act on the file of the Police Station, Yellareddypet, Siricilla and quash the same and pass such other or further orders as this Hon'ble Court may deems fit and proper in the interest of justice.

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 proceedings in Cr.No.07 of 2023, dated 06/01/2023, U/Sec 498 (A) IPC and Sec 4 of D.P Act on the file of the Police Station, Yellareddypet, Siricilla including arrest and personal appearance of the petitioners herein pending disposal of the Quash Petition and pass such other or

further orders as this Hon'ble Court may deems fit and proper in the interest of justice.

This Petition coming on for hearing,upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri.B.RAMULU, Advocate for the Petitioners and of the Additional Public Prosecutor for the State of Telanagna on behalf of the Respondent No.1 and of None Appeared for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.1049 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 to 4 to quash the proceedings against them in FIR No.07 of 2023 on the file of Station House Officer, Yellareddypet Police Station, Rajanna-Sircilla District. The offence alleged against the petitioner is under Section 498-A of Indian Penal Code and Section 4 of Dowry Prohibition Act.

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

3. The 2nd respondent filed a complaint alleging that she was married to Accused No.1 on 16.03.2016 and thereafter he started harassing her. Further the petitioners who are the relatives of the husband also harassing the 2nd respondent physically and mentally for additional dowry of Rs.30,00,000/-.

4. According to the learned counsel for the petitioners, the petitioners are living separately.

5. Since bald allegations are leveled against the petitioners, this Court deems it appropriate to direct the Investigating Officer in FIR No.07 of 2023 on the file of Station House Officer, Yellareddypet Police Station, Rajanna-Sircilla District, to conclude the investigation without taking any coercive steps against the petitioners-Accused Nos.2 to 4 by following the procedure laid down under Section 41-A Cr.P.C and also the guidelines formulated by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar**¹ scrupulously, as the complaint is outcome of differences between the 2nd respondent and Accused No.1. Needless to say the petitioners shall co-operate with the Investigating Officer as and when required for the purpose of investigation.

6. Accordingly, the Criminal Petition is disposed off.

¹ (2014) 8 SCC 273

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/-A.V.S.PRASAD
ASSISTANT REGISTRAR


SECTION OFFICER

To

1. The Judicial First Class Magistrate, at Sircilla.
2. The Station House Officer, P.S., Yellareddypet, Rajanna Sircilla District.
3. One CC to Sri B.Ramulu, Advocate [OPUC]
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
5. Two CD Copies

Kj.

nb

HIGH COURT

DATED:02/02/2023



ORDER

CRLP.No.1049 of 2023

THE CRLP IS DISPOSED OF.

⑧
PM
9.0/2/2