

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

**FRIDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No: 1389 OF 2023

Between:

1. Bindi Mallikarjun Goud, S/o Bindi Sudharshan Goud, Aged about 57 years, Occ. Govt Employee, R/o, 2-2-1032, Mahankali Temple, Amberpet, Hyderabad, Telangana 500013
2. Bindi Devika, W/o, Bindi Mallikarjun Goud Aged about 55 years, Occ. House Wife, R/o, 2-2-1032, Mahankali Temple, Amberpet, Hyderabad, Telangana 500013.

...PETITIONER/ACCUSED No.4&5

AND

1. The State of Telangana, Station House Officer, WPS INSP(DD), HYD(Hyderabad) Represented through its Public Prosecutor, High Court for the State of Telangana at Hyderabad
2. Smt P.Yamuna Goud, W/o P.Venkat Vishal Goud , aged about 29 years, Occupation.Doctor, R/o H.No 2-2-300/2, Bagh Amberpet, Hyderabad-500013, Telangana.

...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 call for the records in F.I.R. No.64 of 2023 before the Police Station WPS INSP(DD), HYD(Hyderabad) and quash the same against the Petitioners/Accused No.4 AND 5

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 dispense with the filing of the certified copy of FIR in F.I.R. No.64 of 2023 before the Police Station WPS INSP(DD), HYD(Hyderabad)

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 grant stay of all further proceedings including arrest of the petitioners / Accused No.4 & 5 in F.I.R. No.64 of 2023 before the Police Station WPS INSP(DD), HYD(Hyderabad) pending disposal of the above Criminal Petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M.S. ACHYUTH BHARTHWAJ, 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.1389 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.4 and 5 to quash the proceedings against them in FIR No.64 of 2023 pending on the file of Station House Officer, Women Police Station INSP (DD), Hyderabad, registered for the offences punishable under Sections 498-A, 406 and 506 of the Indian Penal Code (for short "IPC") and Section 3 and 4 of Dowry Prohibition Act (for short "DP Act").

2. Heard learned counsel for the petitioners-Accused Nos.4 and 5 and learned Additional Public Prosecutor for the respondent - State. Perused the material on record.

3. As seen from the record, the crime was registered on the basis of complaint of respondent No.2 - *de facto* complainant as there are disputes between her and accused No.1.

4. Since the disputes are amongst the spouses, this Court deems it appropriate to direct the Investigating Officer in respect of FIR No.64 of 2023 pending on the file of Station House Officer, Women Police Station INSP (DD), Hyderabad, to conclude the investigation without taking any coercive steps against the petitioners-Accused Nos.4 and 5, by strictly following the procedure laid down under Section 41 A of Cr.P.C. and also the guidelines issued by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar**¹. The petitioners-Accused Nos.4 and 5 shall co-operate with the Investigating Officer by furnishing information and documents as sought by him in concluding the investigation.

5. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

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SD/-L. SIVA PARVATHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The XIII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad.
2. The Station House Officer, WPS INSP(DD), HYD(Hyderabad), Hyderabad District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad.(OUT)
4. One CC to SRI. M.S. ACHYUTH BHARTHWAJ, Advocate [OPUC]
5. Two CD Copies

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HIGH COURT

DATED:10/02/2023

ORDER

CRLP.No.1389 of 2023



DISPOSING OF THE CRIMINAL PETITION

(8)

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22/2/23