

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**TUESDAY, THE FIFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO.2010 OF 2019

Between:

Syed Kazim Hussain @ Kazim Hashmi, S/o. Late Anwar Hashmi, Aged: 43 years,
Occ - Interior Decorator, Antiques, R/o. H.No. 22-7-270/22, Shahkar Residency,
Nizam Bagh, Dewan Devdi, Charminar, Hyderabad, T.S.

...PETITIONER/ACCUSED No.4

AND

1. The State of Telangana, Rep by its Public Prosecutor, through WPS, South Zone, Hyderabad, T.S.
2. Smt. Zainab Fatima, W/o. Naveed Hyder Shareef, Occ: Housewife, R/o. H.No. 17-5-394, Dabeerpura, Hyderabad, T.S.

...RESPONDENTS/COMPLAINANTS

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 May be pleased to quash the Criminal Complaint against the Petitioner/Accused No. 4 in C.C.No. 69 of 2018 pending on the file of the Hon'ble XV Addl. Chief Metropolitan Magistrate, Criminal Court at Hyderabad Under Secs. 498-A, 406, 506 of IPC and under Sec. 4 and 6 of the D.P. Act.

I.A. NO: 1 OF 2019

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 May be pleased to Stay all further proceedings in C.C.No. 69 of 2018 pending on the file of the Hon'ble XV Addl. Chief Metropolitan Magistrate,

Criminal Court at Hyderabad City till the disposal of the main Criminal Quash Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri YOGESHWAR RAJ SAXENA, Advocate for the Petitioner (Not Present) and the Additional Public Prosecutor on behalf of the Respondent No.1 and of Sri K. SAI BABU, Advocate for the Respondent No.2.

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 2010 OF 2019

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.4 in C.C.No.69 of 2018 on the file of the XV Additional Chief Metropolitan Magistrate, Hyderabad. The offences alleged against the petitioner are punishable under Sections 498-A, 506, 406 of Indian Penal Code and Sections 4 and 6 of Dowry Prohibition Act.

2. Heard learned Additional Public Prosecutor for the respondent-State and learned counsel for the *de facto* complainant present. Perused the record.

3. None appeared on behalf of the petitioner.

4. Learned counsel for the respondent No.2/*de facto* complainant states that the stage of the case in the trial Court is not known. Further there is specific allegation leveled against this petitioner.

5. Keeping in view that this petitioner is relative of husband of *de facto* complainant, this Court deems it appropriate to dispense the attendance of the petitioner-Accused No.4 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 shall not dispute his identity also. However, the petitioner-Accused No.4 shall appear before the learned Magistrate as and when his presence is required. In the event of failure of the petitioner to appear when the Court directs, this order dispensing with his attendance shall stand cancelled.

6. Accordingly, this Criminal Petition is disposed of.

Miscellaneous applications pending, if any, in this criminal petition, shall stand closed.

SD/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

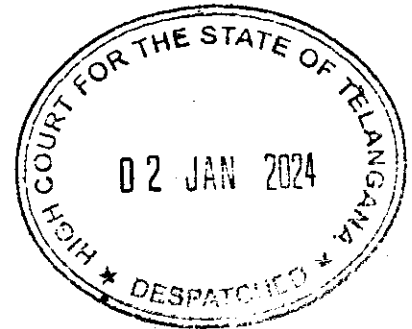
To,

1. The XV Addl. Chief Metropolitan Magistrate, Criminal Court at Hyderabad.
2. The Station House Officer, Women Police Station South Zone, Hyderabad.
3. One CC to SRI YOGESHWAR RAJ SAXENA, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. One CC to Sri K. SAI BABU, Advocate [OPUC]
6. Two CD Copies

MP
GJP
fma.

HIGH COURT

DATED:05/12/2023



ORDER

CRL.P.No.2010 of 2019

DISPOSING OF THE CRIMINAL PETITION

⑨ PMA.
23/12/23.