

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

TUESDAY, THE ELEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

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

CRIMINAL PETITION NO: 3542 OF 2023

Between:

1. Kishore Gourwar, S/o G Sreedhar Rao Age- 32 Yrs, Occ- Private Employee R/o. H.No- 7-1/247, Nallagandla, Lingampally. Presently residing at USA, represented by his SPA Sreekanth Rao Kaginikar, s/o Vikram Chander Rao Age- 44 years, R/o- 7-1/31/1, Uma Nilyam, Serlingampally
2. Gourwar Savitha, W/o Gourwar Sridhar Rao, Age- 60 years, Occ- House wife,
3. Gourwar Sridhar Rao, Age- 65years, Occ- Private employee
4. Gourwar Sandeep, S/o Gourwar Sridhar Rao, Age- 36 years, Occ- Private Employee
(2 to 4 All are R/o H. No.7-1/247, Nallagandla HUDA Layout, VIC, Lingampally, Serilingampally, Rangareddy District)

...PETITIONERS/RESPONDENTS NO.1-4

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court Bldgs, Hyderabad

.....Respondent/ Prosecution

2. Gourwar Ankita @ Akella Ankita, Age- 31 years, Occ- student, R/o Flat No. 302, 3rd floor, Deverakonda Empire, Eshwarपुरi Colony, Kapra lake, Malkajgiri district

...RESPONDENT NO.1/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 relating to proceedings in DVC No. 18 of 2023 on the file of Hon'ble II Additional Metropolitan Magistrate, Medchal- Malkajgiri District At Malkajgiri and quash the same as illegal or to pass necessary order or orders

I.A. NO: 3 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 please to permit me to represent the Petitioner in the above case and allow me to attend/ represent, file sign documents on his behalf in the said above case and pass

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 of all further proceedings in DVC No. 18 of 2023 on the file of Hon'ble II Additional Metropolitan Magistrate, Medchal- Malkajgiri District At Malkajgiri, including the appearance of the Petitioners/Respondents, pending disposal of Criminal Petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri KIRAN PALAKURTHI, Advocate for the Petitioners and of the Additional Public Prosecutor for the State of Telangana on behalf of the Respondent No.1

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.3542 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 - respondent Nos.1 to 4 to quash the proceedings against them in D.V.C.No.18 of 2023 pending on the file of learned II Additional Metropolitan Magistrate, Medchal-Malkajgiri District at Malkajgiri, under Section 12 of Protection of Women from Domestic Violence Act, 2005.

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

3. Though the petitioners have raised several grounds to quash the proceedings in the aforesaid case, learned counsel for the petitioners requested this Court to dispense with the appearance of the petitioners – respondent Nos.1 to 4, in the aforesaid case before the trial Court.

4. Considering the submission of learned counsel for the petitioners; the Criminal Petition is disposed off with the following directions:

- i) The attendance of the petitioners – respondent Nos.2 to 4 is dispensed with in D.V.C.No.18 of 2023 pending on the file of learned II Additional Metropolitan Magistrate, Medchal-Malkajgiri District at Malkajgiri, when represented by their counsel on record.
- ii) The attendance of the petitioners is dispensed with subject to filing affidavits by the petitioners stating that in their absence the proceedings conducted by their counsel will not be disputed by them in any manner and shall not dispute their identity also.
- iii) However, the petitioners shall appear before the learned Magistrate as and when their presence is required. In the event of the failure of the petitioners to appear when the Court directs, this order dispensing their attendance shall stand cancelled.
- iv) No such relief is given as far as petitioner No.1 – respondent No.1 is concerned.

Miscellaneous applications pending, if any, shall stand closed.

Sd/-V.KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//

Jal
SECTION OFFICER

To

1. The II Additional Metropolitan Magistrate, Medchal at Malkajgiri.
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
3. One CC to Sri Kiran Palakurthi, Advocate [OPUC]
4. Two CD Copies

Kj.

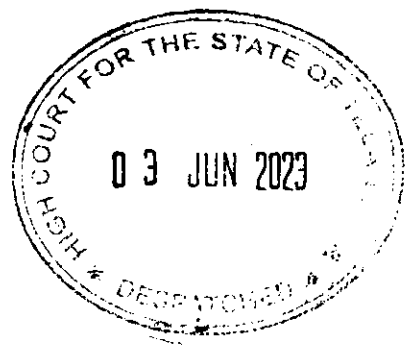
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HIGH COURT

DATED:11/04/2023

ORDER

CRLP.No.3542 of 2023



DISPOSING OF THE CRL.P.

7
29/5/23
H4