

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

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

PRESENT

THE HONOURABLE SMT JUSTICE G. ANUPAMA CHAKRAVARTHY

CRIMINAL PETITION NO: 6261 OF 2023

Between:

1. SMT. PARAS KUMARI, W/o. Late Dharmichandji Banthiya, Aged about 75 Years, Occ. Housewife, R/o. 25 Pidari North Street, Sirkali, Nagapattinam, Sirkali, Tamilnadu - 609 110.
2. GOUTHAM BANTHIYA @ GOUTHAM CHAND, S/o. Late Dharminchandji, Aged about 50 years, Occ. Business, R/o. 25 Pidari North Street, Sirkali Nagapattinam, Sirkali, Tamilnadu - 609 110.
3. SMT. SHOBA, W/o. Goutham Banthiya, Aged about 48 years, Occ. Housewife, R/o. 25 Pidari North Street, Sirkali, Nagapattinam, Sirkali, Tamilnadu - 609 110.
4. DINESH BANTHIYA, S/o. Late Dharmichandji Banthiya, Aged about 52 years, Occ. Business, R/o. 803, Prarthana Heights, Shirodkar Road, Doctor BA Road, ITC Hotel, Parel, Mumbai, Maharashtra.
5. SMT. VANDHANA, W/o. Dinesh Banthiya, Aged about 50 years, Occ. Housewife, R/o. 803, Prarthana Heights, Shirodkar Road, Doctor BA Road, ITC Hotel, Parel, Mumbai, Maharashtra.
6. SMT. SANGEETHA, W/o. Rajesh Jain, Aged about 47 years, Occ. Housewife, R/o. 27, South Street, Chidambaram, Cuddalore, Tamil Nadu - 608 001.
7. RAJESH JAIN, S/o. Gajraj Jain, Aged about 52 years, Occ. Business, 27, South Street, Chidambaram, Cuddalore, Tamil Nadu - 608 001.

...PETITIONERS/ACCUSED No. 1 to 7

AND

1. The State of Telangana, Rep. by its Public Prosecutor High Court for the State of Telangana at Hyderabad
2. SMT. DEEPIKA JAIN, W/o. Late Sanjay Bathiya Jain, Aged about 48 years, Occ. Household R/o. Flat No. 401, Premkunj Apartments, Gandhinagar, Hyderabad.

...RESPONDENTS/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 QUASH the in F.I.R NO.269 OF 2023 Dated 01.05.2023 on the file of

the CCS, WPS, Hyderabad at Hyderabad as the same is untenable either on facts or under law.

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 Certified Copy of F.I.R. No.269 of 2023 Dated 01.05.2023.

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 all further proceedings against the Petitioners/Accused Nos.1 to 7 in F.I.R NO.269 OF 2023 Dated 01.05.2023 on the file of the CCS, WPS, Hyderabad district at Hyderabad, for the offences under sections 498-A, 506 of IPC And Section 3 of DP Act including arrest of Petitioners/Accused Nos.1 to 7 pending disposal of the main Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri A VIJAY BASKAR REDDY, Advocate for the Petitioner and the of Sri S. Ganesh, Learned Assistant Public Prosecutor on behalf of the Respondent No.1 and of None appeared for the Respondent No.2

The Court made the following: ORDER

HON'BLE SMT. JUSTICE G. ANUPAMA CHAKRAVARTHY

CRIMINAL PETITION No.6261 of 2023

ORDER:

This Criminal Petition is filed under Section 482 of Cr.P.C. by the petitioners/accused Nos.1 to 7 to quash the proceedings in FIR No.269 of 2023 on the file of Women Police Station(Central Crime Station), Hyderabad, for the offences under Sections 498-A and 506 of Indian Penal Code and Section 3 of Dowry Prohibition Act, 1961.

2. Heard learned counsel for the petitioners and Sri S.Ganesh, learned Assistant Public Prosecutor appearing for respondent No.1 and perused the record.

3. Since the punishment prescribed for the offences alleged against the petitioners is less than seven years, this Court deems it appropriate to direct the petitioners/accused Nos.1 to 7 to appear before the Investigating Officer on 21.07.2023 between 02:00 p.m. and 04:00 p.m. and the Investigating Officer is directed to follow 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 vs. State of Bihar scrupulously.

However, the petitioners/accused Nos.1 to 7 shall co-operate with the Investigating Officer as and when required by furnishing information and documents as sought by him in concluding the investigation.

4. Accordingly, the Criminal Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

Sd/- V. KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The XIII Addl Chief Metropolitan Magistrate at Nampally, Hyderabad.
 2. The Station House Officer, (Central Crime Station) Women Police Station, Hyderabad
 3. One CC to Sri A Vijay Bhasker Reddy, Advocate [OPUC]
 4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
 5. Two CD Copies
- BJLB



HIGH COURT

DATED:11/07/2023

ORDER



CRLP.No.6261 of 2023

CRIMINAL PETITION IS DISPOSED OF

8
K. M. A.
27/7/2023