

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

**THURSDAY, THE NINETEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HON'BLE SMT. JUSTICE G. ANUPAMA CHAKRAVARTHY

CRIMINAL PETITION No: 10441 of 2023

Between:

1. Ajeet Singh Rajavath, Age. 57 Yrs, Occ. Business, R/o. C4 Inderpuri Lalkothi Tonk Road, Jaipur, Rajasthan, 302015.
2. Pushpa Rajawat, W/o. Ajeet Singh, Age. 52, Occ. Housewife R/o. Inderpuri Lalkothi Tonk Road, Jaipur, Rajasthan, 302015.

...Petitioner/Accused No.2 & 3

AND

1. The State of Telangana, Rep. by its Public Prosecutor, Through Station House Officer, Jeedimetla Police Station.
2. Mrs. Sushmitha Singh, W/o. Jaideep Singh, Age. 27 years, Occ. Housewife R/o. Plot No. 234, HMT Society, Shapur Nagar, Quthbullapur, Telangana, Ph. 9849019060.

...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 quash proceedings against Petitioners herein in CC No. 1595 of 2022 on the file of the Jeedimetla Police Station for the alleged offence under section 498-A and Section 506 of IPC and Section 3 and 4 of Dowry Prohibition Act, 1961.

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 dispense with the appearance of the Petitioners/Accused No.2 and

3 in VIII Metropolitan Magistrate at Medchal marked as CC No. 1595 of 2022 on the file of the Hon'ble VIII Metropolitan Magistrate, Medchal Cyberabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri OMAR A. PASHA, Advocate for the Petitioners and the Sri S. GANESH, Assistant Public Prosecutor on behalf of the Respondent No.1 and None Appeared for the Respondent No.2

The Court made the following: ORDER

HON'BLE SMT. JUSTICE G. ANUPAMA CHAKRAVARTHY

CRIMINAL PETITION No.10441 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 and 3 to quash the proceedings against them in C.C.No.1595 of 2022 pending on the file of the VIII Metropolitan Magistrate, Medchal, Cyberabad. The alleged offences against them are punishable under Sections 498A, 506 of IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961.

02. Heard learned counsel for the petitioners and Sri S.Ganesh, learned Assistant Public Prosecutor for respondent No.1-State. Perused the record.

03. It is the specific contention of the learned counsel for the petitioners that the petitioners are parents of accused No.1, who is husband of respondent No.2. It is contended that except bald allegations that the petitioners/accused Nos.2 and 3 have abused respondent No.2, there are no specific overt acts or allegations against

them and therefore, he prayed to quash the proceedings against them.

04. On the other hand, learned Assistant Public Prosecutor vehemently opposed to quash the proceedings against the petitioners as police have investigated the case and filed charge sheet against them. He further contended that it is not a fit case to quash the proceedings against the petitioners at this juncture and the matter is to be decided after conducting trial by the Court below.

05. Taking into consideration the fact that bald and general allegations are made against the petitioners/accused Nos.2 and 3, the appearance/attendance of petitioners/accused Nos.2 and 3 before the VIII Metropolitan Magistrate, Medchal, Cyberabad, in C.C.No.1595 of 2022, is dispensed with, unless their presence is required by the Trial Court for a specific purpose, or at the time of recording their examination under Section 313 Cr.P.C., and on the date of pronouncement of Judgment. However, the petitioners/accused Nos.2 and 3 are at liberty to file discharge petition

and on such petition being filed, the Trial Court shall dispose of the same on merits within three (3) weeks from the date of filing of the said petition, uninfluenced by any of the observations made in this Order.

06. Accordingly, this Criminal Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

Sd/- B. SARASWATHI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The VIII Metropolitan Magistrate at Medchal, Cyberabad.
2. The Station House Officer, Jeedimetla Police Station, Medchal District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad.(OUT)
4. One CC to SRI OMAR A. PASHA, Advocate [OPUC]
5. Two CD Copies

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VH

HIGH COURT

DATED:19/10/2023

ORDER

CRLP.No.10441 of 2023



**DISPOSING OF THE
CRIMINAL PETITION**

⑧ *vw*
17/11/23