

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

WEDNESDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11010 OF 2023

Between:

1. Shaik Moulana, S/o. Late. Shaik Hussain, Occ Retd. Govt. Employee, R/o. H. No. 1-9-101, Opp Union Bank, Rajendranagar, Ranga Reddy District.
2. Fatima Begum, W/o. Shaik Moulana, Aged 68 years, Occ Housewife, R/o. H. No. 1-9-101, Opp Union Bank, Rajendranagar, Ranga Reddy District

...PETITIONERS/ACCUSED No. 2 & 3

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court for the state of Telangana, Hyderabad, Telangana State
2. Rabiya Fatima, W/o. Shaik Naseer Ahmed, Aged 29 years, Occ Housewife, R/o. Flat No. 102, MIG. SPHB Colony, Baghlingampally, Hyderabad

...RESPONDENT/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 quash the proceedings against the petitioners / Accused 2 and 3 in C.C. No. 3852 of 2023 pending on the file of the XIII Addl. Chief Metropolitan Magistrate at Nampally Hyderabad corresponding to Crime No. 14 of 2023 for the offence Under Sections 498-A, 406 of IPC. Section 3 and 4 of DP Act of WPS DD, Hyderabad.

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 copy of Charge sheet and other relevant material documents in C.C. No. 3852 of 2023 pending on the file of the Honble XIII Addl. Chief Metropolitan Magistrate at Nampally 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 stay all further proceedings including the appearance of the Petitioners / Accused 2 and 3 in C.C. No. 3852 of 2023 pending on the file of the XIII Addl. Chief Metropolitan Magistrate at Nampally Hyderabad corresponding to Crime No. 14 of 2023 for the offence Under Sections 498-A, 406 of IPC, Section 3 and 4 of DP Act of WPS DD, Hyderabad,.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M.A.MUJEEB Advocate for the Petitioners and the Addl. Public Prosecutor on behalf of the Respondent No.1 and of None appears for the Respondent No.2

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.11010 OF 2023

ORDER:

This Criminal Petition is filed under Sections 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners- Accused Nos.2 and 3 seeking to quash the proceedings against them in C.C.No.3852 of 2023 pending on the file of the XIII Additional Chief Metropolitan Magistrate at Nampally, registered for the offences punishable under Sections 498-A, 406 of Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.

2. Heard learned counsel for the petitioners - Accused Nos.2 and 3 and learned Additional Public Prosecutor for the respondent - State. Perused the record.

3. Learned counsel for the petitioners confined their prayer to dispense with the personal appearance of petitioners- Accused Nos.2 and 3.

4. Considering the submission of learned counsel for the petitioners, the attendance of the petitioners - Accused Nos.2 and 3 are dispensed with, in C.C.No.3852 of 2023 pending on the file of the

XIII Additional Chief Metropolitan Magistrate at Nampally, when represented by their counsel on record. The attendance of the petitioners - Accused Nos.2 and 3 are dispensed with subject to filing an affidavit 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. However, the petitioners - Accused Nos.2 and 3 shall appear before the learned Magistrate as and when their presence is required. In the event of failure of the petitioners to appear when the Court directs, this order dispensing with their attendance shall stand cancelled.

5. Accordingly, the Criminal Petition is disposed of. Needless to say, in the event of the petitioners filing an application seeking discharge if charges are not framed, the concerned Court shall dispose it of on merits within a period of four (04) weeks.

Miscellaneous applications pending, if any, shall stand closed.

SD/- B.CHANDRA PRAKASH
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

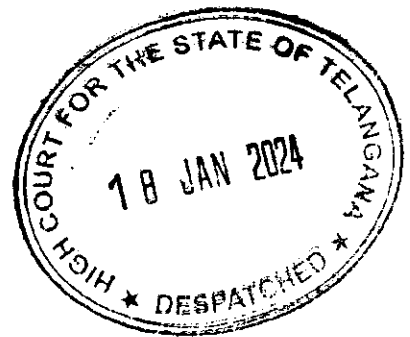
To,

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

 **BJLB**

HIGH COURT

DATED:08/11/2023



ORDER

CRLP.No.11010 of 2023

CRIMINAL PETITION IS DISPOSED OF

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