

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

**MONDAY, THE SIXTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 9831 OF 2017

Between:

1. M.Mukaram Ahmed S/o. Mohammed Ahmed, aged 40 years, Occ Pvt. Service, R/o. H.No.16-2-741/A/18, Asmangadh, New Malakpet, Hyderabad.
2. Mohd. Ahmed, S/o. Mohd. Azam, aged 62 years, Occ Nil, R/o. H.No.17-2-981/1, Rain Bazar, Hyderabad.
3. Smt Sayeeda Sultana, W/o. Mohd Ahmed, aged 55 years, Occ Household, R/o. H.No.17-2-981/1, Rain Bazar, Hyderabad.
4. Mohd. Akram, S/o. Mohammed Ahmed, aged 38 years, Occ Business, R/o. H.No.18-8-253/C/87/88, Jamal Colony, Santosh Nagar, Hyderabad.
5. Mohd. Faryaz, S/o. Mohd. Ahmed, aged 32 years, Occ Business, R/o. H.No.17-2-981/1, Rain Bazar, Hyderabad.
6. Smt Afsra Begum, W/o. Mohd. Omer, aged 35 years, Occ Household, R/o. H.No.18-8-485, Moinbagh, Edibazar, Hyderabad.

...PETITIONERS/ACCUSED

AND

1. The State of Telangana, rep. by Public Prosecutor, High Court, Hyderabad, through Police Station Malakpet, Hyderabad.
2. Smt Ather Jahan @ Sidra Fatima, W/o. Md. Mukram @ Parvez, aged 35 years, Occ Housewife, R/o. Flat No.401, Evergreen Apartments, Asmangadh, Malakpet, Hyderabad.

...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 call for the records and quash the proceedings in C.C.No.271/2017 on the file of the Hon'ble XIII Additional Chief Metropolitan Magistrate at Hyderabad.

I.A. NO: 1 OF 2017(CRLPMP. NO: 10669 OF 2017) & I.A. NO: 2 OF 2017(CRLPMP. NO: 10758 OF 2017)

Between:

Smt Ather Jahan @ Sidra Fatima, W/o. Md. Mukram @ Parvez, aged 35 years, Occ Housewife, R/o. Flat No.401, Evergreen Apartments, Asmangadh, Malakpet, Hyderabad. .. Petitioner / Respondent No. 2 in both I.A No. 1 & 2 of 2017

And

1. M.Mukaram Ahmed S/o. Mohammed Ahmed, aged 40 years, Occ Pvt. Service, R/o. H.No.16-2-741/A/18, Asmangadh, New Malakpet, Hyderabad.
2. Mohd. Ahmed, S/o. Mohd. Azam, aged 62 years, Occ Nil, R/o. H.No.17-2-981/1, Rain Bazar, Hyderabad.
3. Smt Sayeeda Sultana, W/o. Mohd Ahmed, aged 55 years, Occ Household, R/o. H.No.17-2-981/1, Rain Bazar, Hyderabad.
4. Mohd. Akram, S/o. Mohammed Ahmed, aged 38 years, Occ Business, R/o. H.No.18-8-253/C/87/88, Jamal Colony, Santosh Nagar, Hyderabad.
5. Mohd. Faryaz, S/o. Mohd. Ahmed, aged 32 years, Occ Business, R/o. H.No.17-2-981/1, Rain Bazar, Hyderabad.
6. Smt Afsra Begum, W/o. Mohd. Omer, aged 35 years, Occ Household, R/o. H.No.18-8-485, Moinbagh, Edibazar, Hyderabad. .. Petitioners/Accused in both I.A.Nos. 1 and 3 of 2017
7. The State of Telangana, rep. by Public Prosecutor, High Court, Hyderabad, through Police Station Malakpet, Hyderabad. .. Respondent /Respondent in both

I.A. NO: 1 OF 2017(CRLPMP. NO: 10669 OF 2017)

Petition under Section 320 (6) 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 permit the petitioner file compromise petition in the above quash petition .

I.A. NO: 2 OF 2017(CRLPMP. NO: 10758 OF 2017)

Petition under Section 320 (2) 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 record the compromise in the above quash petition.

I.A. NO: 3 OF 2017(CRLPMP. NO: 10759 OF 2017)

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 under C.C.No.271/2017 on the file of the Hon'ble XIII Additional Chief Metropolitan Magistrate at Hyderabad pending disposal of the above criminal petition .

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri MUHAMMAD VEQAR HUSSAIN, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No. 1 and of Sri Mohd. Zafar Moinuddin, Advocate for the Respondent No. 2

The Court made the following ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.9831 OF 2017

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners/A1 to A6, to quash the proceedings in CC.No.271 of 2017 on the file of XIII Additional Chief Metropolitan Magistrate at Hyderabad, for the offences punishable under Sections 498-A, 324 of the Indian penal Code and Section 3 and 4 of the Dowry Prohibition Act.

2. Learned Counsel for the petitioners would submit that the parties have entered into compromise and settled their issues. He further submits that the defacto complainant/2nd respondent and 1st petitioner-husband are living together. The other petitioners 2 to 6 live in different localities and they have nothing to do with the marital life of the 2nd respondent and 1st petitioner/A1.

3. There are no allegations which are leveled against petitioners 2 to 6 in the statement made. However, keeping in view that the parties have entered into compromise, this Court deems it appropriate to direct the concerned Court to dispose of CC.No.271 of 2017 within three months from the date of this order.

Meanwhile, the appearance of the petitioners 2 to 6 is dispensed with in the CC subject to the following directions:

i) The attendance of the petitioners 2 to 6 is dispensed with in CC.No.271 of 2017 on the file of XIII Additional Chief Metropolitan Magistrate at Hyderabad, when represented by their counsel on record.

ii) The attendance of the petitioners 2 to 6 is dispensed subject to filing of an affidavit by the petitioners 2 to 6 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 2 to 6 shall appear before the learned Magistrate as and when their presence is required. In the event of the petitioners' failure to appear when the Court directs, this order dispensing their attendance shall stand cancelled.

4. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- B. SARASWATHI
ASSISTANT REGISTRAR

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SECTION OFFICER

To

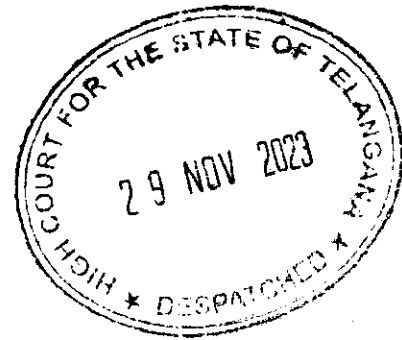
1. The XIII Additional Chief Metropolitan Magistrate at Hyderabad
2. The Station House Officer , Malakpet Police Station, Hyderabad.
3. Two CCS to Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
4. One CC to SRI. MUHAMMAD VEQAR HUSSAIN Advocate [OPUC]
5. One CC to Sri MOHD. ZAFAR MOINUDDIN ,
6. Two CD Copies

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VH



HIGH COURT

DATED: 06/11/2023



ORDER

CRLP.No.9831 of 2017

DISPOSING OF THE

CRL.PETITION

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