

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.1209 of 2023

Order:

This Criminal Petition, under Section 482 Cr.P.C., has been filed on behalf of the petitioners/A-2 to A-5 to quash the proceedings in CC No.621 of 2022 on the file of the learned I Additional Junior Civil Judge, Sattenapalli.

2. A charge sheet has been filed against the petitioners herein and another for the offences punishable under Section 498A read with 34 IPC and Sections 3 and 4 of the Dowry Prohibition Act.

3. Case of the prosecution, in brief, is that, on 09.10.2021, marriage of the de facto complainant was performed with A-1 at Srinivasa Kalyanamandapam, Macherla, as per their caste custom in the presence of elders. At the time of marriage, the parents of the de facto complainant gave cash of Rs.3.00 Lakhs and gold ornaments worth about Rs.1,00,000/- to A-1 as dowry. After one week from the marriage, A-1 started harassing the *de facto* complainant with the support of A-2 to A-5 both mentally and physically demanding additional dowry of Rs.1,00,000/- and one gold bracelet. A-1 to A-5 picked up quarrel with the *de facto* complainant for additional dowry and necked her out from their house. Having no other go, she came to her parents house and filed the present complaint against the accused.

4. Learned counsel for the petitioners, after arguing for some time, confined his argument to the extent of dispensing with the presence of the petitioners herein/A-2 to A-5 before the trial Court.

5. Heard. Perused the record.

6. Going by the charge sheet, specific accusations have been attributed against the petitioners herein and truth or otherwise of the said accusations have to be decided during the course of trial. This Court, in a petition filed under Section 482 Cr.P.C., could not be in a position to conduct a roving enquiry into the disputed questions of fact and quash the proceedings at this stage.

7. In view of the aforesaid facts and circumstances, this Court is not inclined to quash the proceedings and, accordingly, the Criminal Petition is dismissed. However, the presence of the petitioners herein/A-2 to A-5 before the trial Court is dispensed with, except on those dates the learned Magistrate feels that their presence is necessary.

8. As a sequel thereto, the miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

K. SREENIVASA REDDY, J.

Date:15.02.2023
Nsr

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.1209 of 2023

Date:15.02.2023

Nsr