

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.4156 of 2022

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., to quash the proceedings in C.C.No.727 of 2022 pending on the file of the V Addl. Judicial Magistrate of First Class, Warangal. The petitioners herein are accused Nos.2 to 5 in the said C.C. The offences alleged against them are under Section 498-A of IPC and Sections 3 and 4 of Dowry Prohibition Act.

2. Heard learned counsel for the petitioners and learned Public Prosecutor for the State. Perused the record. With their consent this Criminal Petition is disposed of, at the admission stage.

3. As per the complaint dated 21-12-2021, the marriage of A-1 with 2nd respondent was performed on

24-05-2014. Thereafter matrimonial disputes arose between them. Perusal of the charge sheet in the said Calendar Case would reveal that *prima facie* there are certain allegations against the petitioners herein and they are triable issues. This Court cannot consider the same in an application filed under Section 482 of Cr.P.C. The petitioners have to face trial and prove their innocence. In view of the same, this Court is not inclined to quash the proceedings in C.C.No.727 of 2022 against the petitioners herein. However, in matrimonial disputes the identification of parties is not in dispute. Petitioner Nos.1 and 2 are aged parents, aged about 58 years and 65 years respectively, petitioner No.3 is brother and petitioner No.4 is married sister of A-1.

4. However, considering the fact that the disputes between A-1 and 2nd respondent are matrimonial disputes, this Criminal Petition is disposed of dispensing with the presence of the petitioners herein / A-2 to A-5

only in C.C.No.727 of 2022 pending on the file of the V Addl. Judicial Magistrate of First Class, Warangal. However, they shall appear before the said Court as and when their presence is required.

Miscellaneous petitions, if any, pending in this criminal petition, shall stand closed.

K. LAKSHMAN, J

April 28, 2022

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