

HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI

MAIN CASE No.: Criminal Petition No.3451 of 2024

PROCEEDING SHEET

SL. NO.	DATE	ORDER	OFFICE NOTE
01.	09.05.2024	<p><u>SRK, J</u></p> <p>Learned Assistant Public Prosecutor takes notice for respondent No.1 and seeks time to get instructions in the matter.</p> <p>Issue notice to respondent No.2.</p> <p>Learned counsel for the petitioners is permitted to take out personal notice on respondent No.2 by registered post with acknowledgment due and file proof of service before the Registry within a period of three (3) weeks.</p> <p>Heard. Perused the record.</p> <p>Learned counsel for the petitioners submits that petitioner No.1 herein/A1 filed F.C.O.P.No.422 of 2022 on the file of the learned Judge, Family Court, Guntur District under Section 7 of the Family Courts Act. By Judgment dated 28.11.2023, the learned Judge, Family Court, Guntur District decreed the suit declaring that defendant therein/respondent No.2 herein is not a legally wedded wife of the plaintiff therein/petitioner No.1 herein/A1. Further, the entries made in the Marriage Book No.11324 and in Duster No.11324 issued by Qazi Government are held not valid. Thus, the marriage between the plaintiff therein/petitioner No.1 herein/A1 and defendant therein/respondent No.2 herein held not valid. Thereafter, respondent No.2</p>	Cont...

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		<p>herein lodged a complaint against all accused before Edlapadu Police Station, Guntur District, and the same was registered vide FIR.No.248 of 2021 for the offences punishable under Sections 420, 494 & 498A IPC. After investigation, a charge sheet was filed and the same was taken on file as C.C.No.47 of 2022 on the file of the learned Additional Junior Civil Judge, Chilakaluripet. Since, the marriage between petitioner No.1 herein/A1 and respondent No.2/defacto complainant is held not valid, the question of filing complaint against the petitioners herein/A1 to A7 under Section 498A IPC would not attract. The matter requires examination.</p> <p>In view of the said reason, there shall be a stay of all further proceedings in C.C.No.47 of 2022 on the file of the learned Additional Junior Civil Judge, Chilakaluripet, Palnadu District for a period of twelve (12) weeks.</p> <p>List the matter after eight (08) weeks.</p> <p style="text-align: right;">SRK, J DNV</p>	