

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

CRIMINAL PETITION NO.6910 OF 2023

ORDER:

This Criminal Petition, under Section 482 of Criminal Procedure Code, (in short "Cr.P.C.") has been filed on behalf of the petitioners/Accused Nos.5 and 6 to quash the proceedings in Crime No.138 of 2023 of Rayaduragam Urban Police Station, Ananthapur District.

2. A case has been registered against the petitioners and others for the offences punishable under Sections 498-A, 323 read with 34 of I.P.C and 3 & 4 of the Dowry Prohibition Act.

3. Case of the prosecution, in brief, is that the marriage between the defacto complainant and the accused No.1 was performed on 30.07.2020 in the presence of elders. At the time of marriage, the parents of the defacto complainant presented gold and silver ornaments, including dowry of Rs.5,00,000/- to the accused No.1. Thereafter, accused along with his parents started harassing the defacto complainant for want of additional dowry. Due to unbearable harassment, a report was lodged by the defacto complainant before the police, which was registered in crime

No.138 of 2023 of Rayaduragam Urban Police Station, Ananthapur District.

4. Learned counsel for the petitioners after arguing for some time confined his argument to the extent of protecting the petitioners from police since the accusations that have been made as against the petitioners are purely pertains to matrimonial disputes. There is no other material to connect the petitioners to the crime.

5. Learned Assistant Public Prosecutor conceded with the request made by the learned counsel for the petitioners.

6. Heard. Perused the record.

7. In view of the accusations made as against the petitioners herein, it is premature for this Court to conduct a roving enquiry into the disputed questions of fact which have to be decided during the course of trial and not in a petition filed under Section 482 Cr.P.C. At this stage, this Court is not in a position to go into the merits of the case and not inclined to interfere with the proceedings at this stage. However, in view of the facts and circumstances of the case and since it is a matrimonial dispute, the police are directed not to take any coercive steps against the petitioners including arrest and conduct the investigation.

8. With the above direction, the Criminal Petition is disposed of.

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

K. SREENIVASA REDDY, J

Dated: 14.09.2023
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141

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