

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

**TUESDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 932 OF 2023

Between:

1. Kommera Bharathi, W/o. Malla Reddy, Age. 60 years, Occ. Household, R/o. Flat No. 203, Hair Towers, SBS Ramanagar, Hanamakonda Town, Hanamakonda District. (Mother-in-law)
2. Kommera Malla Reddy S/o. Mohan Reddy, Age. 67years, Occ. Business, R/o. Flat No. 203, Hair Towers, SBS Ramanagar, Hanamakonda Town, Hanamakonda District. (Father-in-law)
3. Dr. Kavitha Kommera, W/o. Jayender Reddy, Age. 40 years, Occ. Doctor, R/o. H.No.6-2-283, Kakaji Colony chowrasta, opposite to Vijaya Theatre, Warangal District. (Sister-in-law)

...PETITIONERS NO. 2 TO 4

AND

1. The State of Telangana, through Rep., by Public Prosecutor, High Court For the State of Telangana, At Hyderabad.
2. Niharika Moola, W/o. Anurag Reddy, Age. 31 years, Occ. Housewife, R/o. H.No.1-8-702/193, Nallakunta Hyderabad District.

...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 quash the proceedings in DVC No. 154 of 2023 on the file of Honble III Metropolitan Magistrate, Nampally at Hyderabad against the Petitioner No. 2 to 4.

I.A. NO: 2 OF 2023

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 of all further proceedings including the appearance of the petitioners in connection with DVC No. 154 of 2022 on the file of Honble III Metropolitan Magistrate, Nampally at Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri ALLURI DIVAKAR REDDY ,Advocate for the Petitioner and of the Additional Public Prosecutor (TG) on behalf of the Respondent No.1 and of Sri None Appeared Advocate for the Respondent No. 2

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.932 OF 2023

O R D E R:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioners-Respondent Nos. 2 to 4 seeking to quash the proceedings against them in D.V.C.No.154 of 2023 pending on the file of III Metropolitan Magistrate, Nampally, Hyderabad. The said DVC is filed by respondent No.2 under Section - 12 of the Protection of Women from Domestic Violence Act, 2005 (for short 'Act, 2005') against her husband and the petitioners herein seeking various reliefs.

2. Heard learned counsel for the petitioners-Respondent Nos.2 to 4 and learned Additional Public Prosecutor appearing for respondent No.1-State. Perused the record.

3. A perusal of record would reveal that, the marriage of respondent No.2 herein was performed with respondent No.1 in DVC case. Thereafter, matrimonial disputes arose between them. The petitioner Nos.1 to 3 herein are the in-laws of respondent No.2 and petitioner Nos.2 and 3 are aged about 60 and 67 years respectively.

4. In view of the above reasons, the Criminal Petition is disposed of. The attendance of the petitioners herein - Respondent Nos.2 to 4 is dispensed with in DVC No.154 of 2023 pending on the file of learned III Metropolitan Magistrate, Nampally, Hyderabad, if they are represented by their counsel on record. The attendance of the petitioners is dispensed with subject to filing an affidavit by the petitioners 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. However, the petitioners shall appear before the learned Magistrate as and when their presence is specifically required. In the event of failure of the petitioners to appear as and when the Court directs, this order of dispensing their attendance shall stand cancelled.

5. Pending miscellaneous applications, if any, in this Criminal Petition, shall stand closed.

SD/- P. GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The III Metropolitan Magistrate Nampally at Hyderabad.
2. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT]
3. One CC to SRI ALLURI DIVAKAR REDDY Advocate [OPUC]
4. Two CD Copies

EDS

BSR

HIGH COURT

DATED:31/01/2023



ORDER

CRLP.No.932 of 2023

CRL.P IS DISPOSED OF

7
09/03/23
BSR