

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.: CrI.P. No.5803 of 2021

PROCEEDING SHEET

Sl. No	DATE	ORDER	Office Note
1.	26.10.2021	<u>CMR, J</u> <u>CrI.P. No.5803 of 2021</u> Learned Additional Public Prosecutor takes notice for 2nd respondent / State and requests time to obtain instructions. Issue notice to 1st respondent returnable in four (04) weeks. <u>CMR, J</u> <u>I.A.No.1 of 2021</u> The petitioners are A-1 to A-4 in Crime No.247 of 2021 of Disha Women Police Station, SPSR Nellore District. The 1st petitioner is the husband of the 1st respondent, who is the <i>de facto</i> complainant. The petitioners 2 to 4 are the parents and brother of A-1. On a report lodged by the <i>de facto</i> complainant that she was subjected to cruelty by the petitioners, a case under Section 498A of I.P.C. and under Sections 3 and 4 of the D.P. Act was registered against the petitioners. The petitioners sought quash of the said F.I.R. mainly on the ground that the <i>de facto</i> complainant is an employee and she has indulged in having extra marital life with a co-employee in her office and their illegal intimacy was also recorded in CCTV camera and after obtaining footage of CCTV cameras, when the 1st petitioner, who is the husband, questioned the <i>de facto</i> complainant regarding her extra marital affair with her co-employee, that she lodged this report against him and	

		his family members to harass them. Learned counsel for the petitioners has also produced the said CCTV footages which <i>prima facie</i> establish that the <i>de facto</i> complainant has been involved in some illegal affair with her co-employee. So, he would submit that after the <i>de facto</i> complainant was questioned by A-1 regarding her conduct in this regard, that they were falsely implicated in this case with all false allegations. Therefore, from the evidence which is produced before this Court, the petitioners could establish strong <i>prima facie</i> case to examine in the main criminal petition whether the launching of criminal prosecution against the petitioners in the given facts and circumstances of the case is legally sustainable or not and whether the F.I.R. registered against them is liable to be quashed or not as it is stated that the same is maliciously initiated against the petitioners. Therefore, in the said facts and circumstances of the case, there shall be interim stay of further proceedings and the investigation pursuant to registration of F.I.R. in Crime No.247 of 2021 of Disha Women Police Station, SPSR Nellore District, including arrest of the petitioners, till the next date of hearing. _____ CMR, J ARR	
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