

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

**THURSDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 11138 OF 2023

Between:

1. Shaik Zuber Ahmed, S/o Nazeer Ahmed, Aged about 33 years, Occ. Private Employee, R/o H.No.2-5-134/A/ 1, Qazipura, Bhainsa, Nirmal District, Telangana State
2. Iftiqarunnisa Begum, W/o Nazeer Ahmed Aged about 58 years, Occ. Housewife, R/o H.No.2-5-134/A/1, Qazipura, Bhainsa, Nirmal District, Telangana State
3. Nazeer Ahmed Iqbal, S/o Late Shaik Sardar, Aged about 71 years, Occ. Business, R/o H.No.2-5-134/A/1, Qazipura, Bhainsa, Nirmal District, Telangana State
4. Nikhath Parveen, W/o M.A. Jabbar, Aged about 42 years, Occ. Pvt. Teacher, R/o H.No.3-5-1/133, Akberbaba Nagar, Madina Colony, Bhainsa, Nirmal District, Telangana State

...PETITIONER/ACCUSED Nos 1 to 4

AND

1. The State of Telangana, Rep. by the Public Prosecutor, High Court at Hyderabad.
2. Syed Neha Shareen, W/o Zubair, Aged about 23 years, Occ. Housewife, R/o H.No.4-396, Zafernagar, Mancheria, Presently residing at Toni Tower, Eidgaon Chowrasta, Nirmal District

...RESPONDENT/De-facto COMPLAINANT

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 call for the records and quash the proceedings against the Petitioners/Accused Nos. 1 to 4 in CC.No.1005 of 2023 on the file of Honble II Additional First Class Magistrate at Mancheria, in the interest of justice and to pass

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 all further proceedings including appearance of the Petitioners/Accused Nos.1 to 4 in CC.No.1005 of 2023 on the file of Hon'ble II Additional First Class Magistrate at Mancherla, pending disposal of the above Criminal Petition and to pass

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M A K MUKHEED , Advocate for the Petitioner and Sri. D. Arun Kumar Additional Public Prosecutor on behalf of the Respondent No.

The Court made the following: ORDER

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

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.11138 OF 2023

DATE: 30-04-2026

Between:

Shaik Zuber Ahmed and three others

... Petitioners

And

The State of Telangana,
Rep. by the Public Prosecutor,
High Court at Hyderabad and another

... Respondents

ORDER:

This Criminal Petition is filed by the petitioners-accused Nos.1 to 4 seeking to quash the proceedings against them in C.C.No.1005 of 2023 on the file of learned II Additional Judicial Magistrate of First Class, Mancherla, registered for the offences under Sections 498A and 506 I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act.

2. Heard Sri T. Lakshmi Narayana, learned counsel representing Sri M.A.K. Mukheerjee, learned counsel for the petitioners and Sri D. Arun Kumar, learned counsel for respondent No.1-State.

3. In spite of service of notice, none appears for respondent No.2.
4. The case of respondent No.2-*de facto* complainant is that she was harassed by the petitioners-accused Nos.1 to 4 for want of additional dowry and that she was necked out of the house. Thus, the complaint is registered for the offences under Sections 498A and 506 I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act and on completion of investigation, charge sheet is laid for the said offences against the petitioners.
5. Learned counsel for the petitioners submitted that there are no specific allegations against petitioner No.4-accused No.4, who is the married sister-in-law of the *de facto* complainant and is living away from the family of the *de facto* complainant and petitioner No.1-accused No.1, and that bald allegations are levelled against her just to wreak vengeance. He further submitted that there are no specific allegations even against petitioner Nos.1 to 3 and that when the allegations are vague, continuation of proceedings against the petitioners would be an abuse of process of law. He, therefore, prayed to quash the proceedings in the present C.C. against the petitioners.

6. Learned Additional Public Prosecutor has submitted that the incidents of harassment meted out against the *de facto* complainant are explained in detail in the complaint. He further submitted that the *de facto* complainant was harassed physically and mentally by the petitioners for want of additional dowry and that she was necked out of the house. He further submitted that the petitioners have concealed the fact that petitioner No.1-accused No.1 was suffering with brain tumor and has performed the marriage representing that he is working at Dubai. Thus, the *de facto* complainant was deceived by the petitioners by the said misrepresentation and that whenever the *de facto* complainant has raised the said issue, the petitioners used to abuse her and petitioner No.1 used to beat her. He further submitted that on 04.11.2020, the *de facto* complainant gave birth to a baby girl and since then, the harassment increased and that the petitioners harassed her to bring additional dowry from her parents and have dropped her at her parent's place on 01.09.2021. He further submitted that panchayat was held on several occasions, but still the petitioners did not mend their attitude. Therefore, the petitioners have to face the trial. He, therefore, prayed to dismiss the petition.

7. Perused the record.

8. The contents of the complaint point out that respondent No.2-*de facto* complainant was harassed by the petitioners-accused Nos.1 to 4 for want of additional dowry. It is specifically alleged that at the time of marriage, the petitioners have misrepresented that petitioner No.1 is working at Dubai, but after marriage, the *de facto* complainant came to know that petitioner No.1 is not employed at Dubai. It is alleged that whenever the *de facto* complainant raised the said issue, she was put to physical harassment by the petitioners. It is specifically alleged that on 01.09.2021, the *de facto* complainant was dropped at her parental home to get additional dowry. Further, on 13.03.2022, a panchayat was held with the elders, wherein the petitioners have promised to take care of the *de facto* complainant properly. The recitals of the charge sheet further point out that in June, 2022, petitioner No.1 left to Dubai leaving the *de facto* complainant and their child at Nirmal and that the petitioners have pressurized the *de facto* complainant to adjust money by selling the house existing in her name. It is further alleged that on 11.04.2023, after petitioner No.1 arrived India, all the petitioners have beaten the *de facto* complainant and necked her out of the house. On her call to 100, the police arrived and handed her over to her parents. Thus, there are specific allegations levelled against the petitioners herein. A perusal of the charge sheet reveals that LWs.4 and 7 to 9

are the neighbouring witnesses and LWs.5 and 6 are the marriage elders, whose evidence needs to be tested during the course of trial, apart from the alleged victim and her family members. The truth or otherwise in the allegations can be culled out only after a full-fledged trial. Therefore, it is not proper to quash the proceedings in the present C.C. However, it is deemed appropriate to dispense with the attendance of the petitioners before the trial Court.

9. Accordingly, the Criminal Petition is disposed of dispensing with the attendance of the petitioners before the trial Court provided they are represented by a counsel before the trial Court on every date of hearing and shall appear before the trial Court whenever their presence is required during the course of trial.

Miscellaneous Petitions pending, if any, shall stand closed.

SD/- K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The II Additional First Class Magistrate At Mancherial
2. The Station House Officer, Police Station Srirampur WPS(Ramagundam)
3. One CC to SRI. M A K MUKHEED Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
5. Two CD Copies

EPR/KA

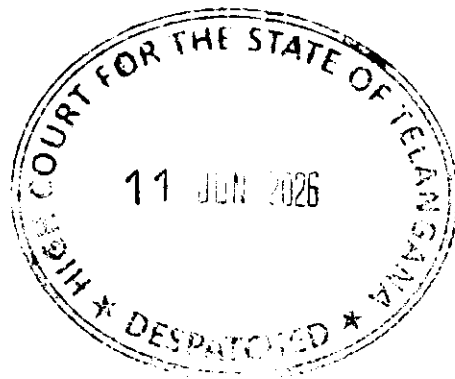
Pma

HIGH COURT

DATED: 30/04/2026

ORDER

CRLP.No.11138 of 2023



CRIMINAL PETITION IS DISPOSED OF

⑧ pmc.
5/6/26.