

Shaik Arifa Vs. the State of A.P, Rep. by Its Public Pro

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Court : Andhra Pradesh

Decided On : Sep-22-2014

Judge : The Hon'Ble Sri Justice U. Durga Prasad Rao

Appellant : Shaik Arifa

Respondent : The State of A.P, Rep. by Its Public Pro

Judgement :

THE HONBLE Sr.JUSTICE U.

DURGA PRASAD RAO Criminal Petition No.10816 of 2014 22-09-2014 Smt.

Sharwari Alagharu....Petitioner/A.5 The State of Telangana, Rep.

by its Public Prosecutor,High Court of Judicature at Hyderabad for the States of Telangana and A.P.and another.

Respondents Counsel for Petitioner : Sr.Venkateswar Varanasi Counsel for Respondent No.1: Public Prosecutor for State : ?.Cases referred: HONBLE Sr.JUSTICE U.

DURGA PRASAD RAO Criminal Petition No.10816 of 2014

ORDER

: The petitioner/A5 who is the sister-in-law of de facto complainant seeks quashing of proceedings in FIR No.506 of 2013 of PS, Central Crime Station, Hyderabad.

2) A1 is the husband of de facto complainant.

A2 and A3 are parents and A4 and A5 are sisters of A1.

The de facto complainant is a Software Engineer in Accenture.

She lost her father in her childhood and ever since her mother, who is a woman entrepreneur doing family business under the name and style M/s.Sr.Venkata Raghavendra Industries, Dasnapur, Adilabad (Cotton Oil Extraction Unit) and pearl business has brought up her.

A1 and his father were also doing business.

On the demand of accused, her mother gave large sum of dowry and gold ornaments and performed the marriage lavishly with a fond hope that her daughters marital life will be happy one.

However, the complaint would show her marital bliss became mirage even from the second day after marriage and ultimately the complainant was forced to lodge the instant complaint.

3) On her complaint dated 30.11.2013, woefully narrating the tortures meted out by the accused even from the reception held following marriage held on 14.02.2013 and extended to nuptial night and continued later and some of which if true, are not only shuddering but shameful even to repeat in this petition, the police of Women Police Station, CCS, DD, Hyderabad registered FIR and investigated the matter.

4) On behalf of petitioner/A5 it is submitted that she is the married sister of A1 and she is residing at Bangalore away from the matrimonial home of complainant and she never indulged in harassing the complainant and even if the complaint allegations are presumed to be true, none of those allegations would reflect any specific overtacts against the petitioner except general and sweeping exaggerations which are false and baseless.

It is thus prayed that the petition may be allowed.

5) Learned Public Prosecutor vehemently opposed the petition.

6) On a perusal of FIR, this Court cannot agree with the petitioners submission that there are no specific allegations against the petitioner and other accused.

The petitioner is concerned, for instance, it is alleged that on the eve of marriage reception arranged on the evening of 15.12.2013 the petitioner and her another sister forced the de facto complainant to drink alcohol, when she smoothly refused stating that she had no such habit, they allegedly abused her and hurt in the presence of her relations and friends.

It is further alleged that after the newly wedded complainant joined her husband in her marital home, the petitioner and her sister behaved with her indifferently not even considering that she is a newly wedded girl.

They put a nasty condition that they would not allow her to share bed room with her husband unless she agreed to take drinks and when she refused, they made her to sleep in common hall and did not give any privacy.

As a height of their torture, it is alleged, the petitioner and her sister denuded her and made ashamed her by pointing out her body parts.

They took measurements of her body and warned that they would throw her out of the house, if she wont reduce a minimum of ten Kgs.

in one month.

Besides, though the complainant by virtue of her employment as Software Engineer has to attend her job, all the accused made her to work from early morning to late night as a slave in their house and they have insulted and humiliated with their words and deeds.

The mother-in-law and father-in-law also joined hands and supported A1 and their daughteRs.7) The above are some of the specific overt acts attributed against accused including the petitioner/A5.

It may be noted that the atrocities and horrendous acts of A1husband and A2father-in-law of complainant are if not depicted here, that is for want of necessity but not paucity in this petition of A5.

Suffice to mention that one of the allegations against A1 is that besides being a sex pervert he used to force the complainant to experiment with unusual, unhealthy and vulgar sexual activities beyond imagination of a normal Hindu woman and zenith of all is that A1 used to proclaim before his wife that he gifted his ex-girlfriends to his dad on latters birthday for one night-stand.

Whereas A2 threatened the mother of complainant that he has political influence and criminal background and that once he was in Tihar jail in an illegal drug manufacturing case and he knows the loopholes in the law and nothing will happen to him and his son even if they lodge any complaint against them.

It is true, the complaint is recent and investigation is nascent and the truth or otherwise of the shameful, barbarious and torturous acts of the accused have still to be investigated by the police.

But as the matter stands, the complaint allegations cannot be lightly swept off with a broom of baseless brand.

Accordingly, I find no merits in the petition.

8) In the result, this Criminal Petition is dismissed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

U.DURGA PRASAD RAO, J Date: 22-09-2014

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