

**THE HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY**

**CRIMINAL PETITION No.63 of 2022**

**ORDER:-**

This Criminal Petition under Section 482 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") is filed seeking quash of charge sheet in C.C.No.973 of 2020 on the file of the learned VI Additional Junior Civil Judge, Guntur.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is A-4 in the above C.C.No.973 of 2020 on the file of the learned VI Additional Junior Civil Judge, Guntur. He has been facing prosecution for the offences punishable under Section 498A r/w 34 IPC and under Sections 3 and 4 of the Dowry Prohibition Act, 1961.

Learned counsel for the petitioner would submit that it is stated in the F.I.R that the petitioner, who is A-4, only harassed the *de facto* complainant by using harsh language against her. He would submit that, however, it is stated in her Section 161 Cr.P.C statement that the petitioner herein, who is A-4, also harassed her along with along with other accused by making illegal demand for additional dowry. Therefore, he would submit that this is a deliberate improvement made in her Section 161 Cr.P.C statement, which was not stated in the F.I.R. So, he would submit that this is a false case foisted against him and thereby prayed for quash of the said charge sheet against the petitioner.

The aforesaid ground urged by the petitioner is not a valid legal ground for quash of the charge sheet. No doubt, it is only stated in the F.I.R that the petitioner harassed the *de facto* complainant by using harsh language against her and that subsequently she stated in her Section 161 Cr.P.C statement that the petitioner also harassed the *de facto* complainant along with other accused by demanding additional dowry from her. Whether the subsequent statement given by her in her Section 161 Cr.P.C statement is an improvement made subsequently or not and whether the said evidence is true or not is the matter relating to appreciation of evidence by the trial Court in the final adjudication of the case. This Court in a petition filed under Section 482 Cr.P.C cannot appreciate the evidence on record in exercise of its inherent powers. Since the ground that was urged by the petitioner pertains to appreciation of evidence of the witnesses, it cannot be a valid legal ground for quash of the charge sheet. Therefore, the Criminal Petition is devoid of merit.

Resultantly, the Criminal Petition is dismissed.

Miscellaneous petitions, if any pending, in the Criminal Petition, shall stand closed.

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**JUSTICE CHEEKATI MANAVENDRANATH ROY**

Date: 18.01.2022  
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