

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7914 of 2017

ORDER:

Heard learned counsel for the petitioners/A.1 to A.4 in Cr.No.176 of 2017 on the file of Pullampet Police Station, Kadapa District, registered for the offences punishable u/sec.498-A, 323 and 506 IPC and Sections 3 and 4 of the Dowry Prohibition Act, on the complaint of the 2nd respondent/defacto-complainant none other than the wife of 1st petitioner/A.1 and also learned Public Prosecutor representing the State.

Though the offence u/sec.323 is there but there is nothing to show any external injuries much less any certificate issued by doctor, thereby the case is squarely covered by **Rajesh Sharma & Others Vs. State of U.P. & Another.**

In view of the order of this Court dated 31.07.2017 in CrI.P.No.6493 of 2017 relying upon the latest two Judge Bench expression of the Apex Court dated 27.07.2017 in CrI.A.1265 of 2017 (SLP (CrI.) No.2013 of 2017 in **Rajesh Sharma** supra, this is a fit case to refer the matter to the Committee for report to consider any reconciliation.

Having regard to the above and as per the directions of the Apex Court, the Criminal Petition is disposed of while directing the Investigation Officer to investigate, but not to arrest the petitioners unless report of the Committee on its constitution is received, however this does not prevent the securing for interrogation as part of investigation. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 04.09.2017

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