

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.5812 OF 2017

ORDER:

This petition is filed under Section 438 Cr.P.C., to grant anticipatory bail to the petitioners-A1 to A5 for the offences alleged under Sections 498-A, 323 and 506 r/w 34 IPC, Sections 3 and 4 of the Dowry Prohibition Act, 1961 and 3 (1)(s) of SCs & STs (POA) Amendment Act, 2015.

2. Heard the learned Counsel for the petitioners-A1 to A5, learned Additional Public Prosecutor appearing for the respondent- State and perused the record.

3. The marriage between the petitioner-A1 and the de facto complainant took place on 14.02.2010 at Razole. It is brought to the notice of this Court that the de facto complainant resided with the petitioner-A1 for six months and thereafter, some differences arose between the parties. The petitioners-A1 to A5 harassed the de facto complainant for dowry. The petitioners-A2 to A5 insulted and abused the de facto complainant in the name of her caste.

4. In these facts and circumstances, it is appropriate to pass an order in terms of the directions given in **RAJESH SHARMA AND OTHERS VS. STATE OF U.P. AND ANOTHER¹**.

5. Accordingly, relying upon the latest two-Judge Bench expression of the Apex Court, dated 27-07-2017, in CrI.A.No.1265 of 2017 (SLP (CrI.) No.2013 of 2017) in **RAJESH SHARMA** supra, the matter is directed to be referred

¹ 2017 (2) ALT (CrI.) 393 (SC)

by the learned jurisdictional Magistrate to the Committee to be constituted for reconciliation and settlement and in a contra situation, to proceed with the subject matter of crime on merits. During the negotiations before the Committee so constituted, the petitioners-A1 to A5 shall not be arrested.

6. The Criminal Petition is ordered accordingly.

DR.SHAMEEM AKTHER, J

DATED: 18-12-2017
Hsd

