

HON' BLE SRI JUSTICE C.PRAVEEN KUMAR

CRIMINAL PETITION No.8059 of 2017

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking quashing of proceedings in Crime No.258 of 2017 of II Town Police Station, Vijayawada District, registered for an offence punishable under Section 498 A of IPC.

Though various grounds are raised, the learned counsel for the petitioners restricts his prayer seeking a direction to the investigating agency to follow the guidelines laid down by the Apex Court in Rajesh Sharma & Others Vs. State of U.P. & Another {CrI.A.1265 of 2017 (SLP (CrI.) No.2013 of 2017)}, while investigating the said crime. The same is not disputed by the learned Additional Public Prosecutor.

In Rajesh Sharma & Others Vs. State of U.P. & Another (supra), the Apex Court, while dealing with matrimonial offences, observed as under:

"19(i) to (f)...

(g) Till report of the committee is received, no arrest should normally be effected".

Having regard to the above and as per the directions of the Apex Court in the judgment referred to above, the Criminal Petition is disposed of directing the Investigation Officer to investigate, but not to arrest the petitioners unless report of the Committee, on its constitution, is received. However, this order does not prevent the securing for interrogation as part of investigation.

Miscellaneous petitions pending, if any, shall also stand closed.

C.PRAVEEN KUMAR, J

18.09.2017
vnb