

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.10135 of 2017

ORDER:

Heard learned counsel for the petitioner.

2. In this criminal petition filed under Section 482 Cr.P.C., the petitioner/accused No.1 seeks to quash the proceedings against him in crime No.280 of 2017 of Arundalpet, Guntur District.

3. When the matter came up for hearing, Mr.Ashok Goud Ponnamm, learned counsel for the petitioner, would submit that in Criminal Petition No.8504 of 2017 filed on behalf of accused Nos.2 to 5, this Court in its order, dated 18.09.2017, following the judgment of the Apex Court in Rajesh Sharma vs. State of U.P.¹ directed the Investigation Officer of Arundalpet Police Station, Guntur Urban to refer Crime No.280 of 2017 to the concerned Family Welfare Committee immediately for its submission of report. Learned counsel would submit that since the present petition relates to accused No.1, similar order may kindly be passed.

4. In view of the above submission, the Investigating Officer, Arundalpet Police Station, Guntur Urban is directed to refer the case of the petitioner/accused No.1 in Crime No.280 of 2017 to the concerned Family Welfare Committee for its submission of report. Till the Committee submits its report, the investigation may go on, but the Investigating Officer shall not arrest the petitioner/accused No.1.

5. The Criminal Petition is ordered accordingly.

¹ 2017 (2) ALT (Cri.) 393 (SC)

6. As a sequel, miscellaneous applications, pending if any, in this Criminal Petition shall stand closed.

U.DURGA PRASAD RAO, J

01st November, 2017

Note: Issue C.C. by tomorrow.
(B/o)
GHN

