

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.1438 of 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.1, seeking to quash the proceedings in Crime No.751 of 2016 on the file of the Miyapur Police Station, Cyberabad Commissionerate, registered for the offences under Section 498-A, 406, 506 of I.P.C.

2. Heard the learned counsel for the petitioner/accused No.1, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. The learned counsel for the petitioner/accused No.1 would submit that the charge-sheet is not yet filed in this case and that the instant case is squarely covered by the decision of the Apex Court in Rajesh Sharma and Others Vs. State of U.P. and Another¹

4. In view of the orders of this Court, dated 31.07.2017, passed in Criminal Petition No.6493 of 2017 relying upon the latest Two-Judge Bench expression of the Apex Court, dated 27.07.2017, in Criminal Appeal No.1265 of 2017 (SLP (Crl.) No.2013 of 2017) in Rajesh Sharma's case supra, and since the matter is at the crime stage, the Station House Officer, Miyapur Police Station, Cyberabad Commissionerate, is directed to refer

¹ 2017 (2) ALT (Crl.) 393 (SC)

the matter to the Committee constituted in terms of the above referred decision, for report, to consider any reconciliation and settlement and if it is not settled, then to proceed with the investigation of the case.

5. The Criminal Petition is disposed of accordingly.

Pending Miscellaneous Petitions, if any, shall stand closed.

Dr. SHAMEEM AKTHER, J

09th February, 2018
Bvv

