

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.2089 of 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.1 to A.5, seeking to quash the proceedings in C.C.No.232 of 2016 on the file of the Principal Judicial Magistrate of First Class, Sompeta, Srikakulam District.

2. Heard the learned counsel for the petitioners/A.1 to A.5, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. The learned counsel for the petitioners/A.1 to A.5 would submit 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, the learned Magistrate is directed to refer 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 trial of the case.

5. The Criminal Petition is disposed of accordingly.

¹ 2017 (2) ALT (Crl.) 393 (SC)

Miscellaneous Petitions, if any, pending in this Criminal Petition,
shall stand closed.

Dr. SHAMEEM AKTHER, J

21st February, 2018
Bvv

