

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.2938 OF 2018

ORDER:

This petition is filed under Section 482 of Criminal Procedure Code (for short "Cr.P.C.") to quash the proceedings in C.C.No.396 of 2017 on the file of the XIII Additional Chief Metropolitan Magistrate, at Hyderabad, registered for the offences punishable under Section 498-A of Indian Penal Code (for short "I.P.C.") and under Sections 4 and 6 of Dowry Prohibition Act.

Sri P.Kiran, learned counsel for the petitioners requested this Court to refer the matter to the Family Welfare Committee constituted in terms of guidelines formulated by the Apex Court in **"Rajesh Sharma v. State of U.P.¹"** as there is possibility of settling the disputes and living together to lead happy marital life by the husband and wife.

In the said judgment, the Apex Court directed to refer the matter to Family Welfare Committee after serving summons on the accused. Therefore, even at the stage of appearance, the case can be referred to Family Welfare Committee for reconciliation between the parties. Therefore, the Magistrate concerned is directed to refer the matter to Family Welfare Committee in terms of guidelines formulated by the Apex Court in **"Rajesh Sharma v. State of U.P."** (referred supra) and in case the matter is not settled before the Committee, the trial Court can proceed in accordance with law.

With the above direction, the criminal petition is disposed of.
No costs.

¹ 2017 (2) ALT (Cri.) 393 (AP)

Consequently, miscellaneous petitions pending, if any, shall
also stand closed.

JUSTICE M. SATYANARAYANA MURTHY

10.09.2018
Ksp

