

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.3646 OF 2018

ORDER:

This petition is filed under Section 482 of the Code of Criminal Procedure by the petitioners/A1 to A5 seeking to quash the proceedings in F.I.R.No.223 of 2018 on the file of the P.S., Jawaharnagar, Rachakonda, registered against them for the offences under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

When the matter came up for hearing, learned counsel for petitioners/A1 to A5 would submit that the FIR was registered on 06.3.2018 and so far police have not referred the matter to the Family Welfare Committee, as contemplated in the decision of Hon'ble Apex Court in **Rajesh Sharma Vs. State of Uttar Pradesh**¹, and thus requested this Court to give a direction to investigating agency to refer the matter to the concerned Family Welfare Committee so as to explore the possibility of conciliation among parties.

Learned Additional Public Prosecutor reported no objection.

In that view of the matter, the Investigating Officer in this case is directed to refer FIR No. 223 of 2018 along with parties to the concerned Family Welfare Committee to follow the procedure contemplated in the aforesaid decision. Till the Committee submits its report, needless to say that the Investigating Officer shall not arrest the petitioners/A1 to A5.

The Criminal Petition is accordingly disposed of. As a sequel there to, miscellaneous applications, pending if any, shall stand closed.

U.DURGA PRASAD RAO, J

28.03.2018
pln

¹ 2017 (2) ALD (CrI.) 568 (SC)