

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.4088 of 2018

ORDER:

This petition is filed under Section 482 Cr.P.C by the petitioners/A1 to A4 & A7 seeking to quash the proceedings in Crime No. 13 of 2018 of Shah Ali Banda Police Station, registered against them for the offences under Sections 323, 448, 354, 498 (A) & 506 IPC and Sections 3 & 4 of dowry Prohibition Act, 1961.

When the matter came up for hearing, learned counsel for petitioners/A1 to A4 & A7 would submit that the Crime was registered on 23.02.2018 and the matter has been referred by the Investigating Officer to the Family Welfare Committee, as contemplated in the decision of Hon'ble Apex Court in **Rajesh Sharma Vs. State of Uttar Pradesh**¹. He further submits that the first petitioner/A1 is a Cancer patient and taking treatment.

In view of the above submission and also taking into consideration the first petitioner/A1 is taking treatment for Cancer, the concerned Family Welfare Committee is directed 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 A4 & A7.

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

U.DURGA PRASAD RAO, J

Date: 29.03.2018
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¹ 2017 (2) ALD (CrI.) 568 (SC)