

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.4066 of 2018

ORDER:

This petition is filed under Section 482 Cr.P.C by the petitioner/accused seeking to quash the proceedings in Crime No.241 of 2017 on the file of Venkatagiri PS, SPSR Nellore District, registered for the offence under Section 498-A IPC.

2) When the matter came up for hearing, learned counsel for the petitioner would submit that the FIR was registered on 23.10.2017 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.

3) Learned Additional Public Prosecutor reported no objection.

4) In that view of the matter, the Investigating Officer in this case is directed to refer FIR No.241 of 2017 on the file of Venkatagiri PS, SPSR Nellore District, 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 petitioner/accused.

5) Accordingly, the Criminal Petition is disposed of.

¹ 2017 (2) ALD (CrI.) 568 (SC)

As a sequel, miscellaneous applications, pending if any, shall stand closed.

U.DURGA PRASAD RAO, J

Date: 13.04.2018

Note: Furnish copy by tomorrow
(b/o)
mva

