

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.5517 OF 2018

ORDER:

This petition is filed under Section 438 Cr.P.C., to grant anticipatory bail to the petitioners-A1 to A5 in crime No.77 of 2018 of Nalgonda I Town police station registered for the offences under Sections 498A, 447, 506 and 323 IPC and 4 of the Dowry Prohibition Act, 1961.

2. Heard the learned counsel for the petitioners-A1 to A5, the learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. As per the material on record, marriage between the de facto complainant and Manjeet Singh took place on 11.07.2016 at Nalgonda. After the marriage, the de facto complainant and her husband were residing along with accused persons under one roof. After one month of their marriage, the petitioners/accused Nos.1 to 5 started harassing the de facto complainant blaming that she is not suitable to her husband, and she was subjected to ill-treatment in their hands both physically and mentally. The petitioners also harassed her to get additional dowry of Rs.5.00 lakhs. When the de facto complainant carrying third month pregnancy, the husband of the de facto complainant died suddenly on 02.05.2017. On knowing the same, she went to the house of the petitioners, but they did not allow

her. On 06.05.2017, the de facto complainant gave birth to a male baby and one month after giving birth to her son, she went to the house of her in-laws along with baby, but they did not allow her and her son.

4. In these facts and circumstances, it is appropriate to pass an order in terms of the directions given in **RAJESH SHARMA AND OTHERS VS. STATE OF U.P. AND ANOTHER¹**.

5. Accordingly, relying upon the latest two-Judge Bench expression of the Apex Court, dated 27-07-2017, in CrI.A.No.1265 of 2017 (SLP (CrI.) No.2013 of 2017) in **RAJESH SHARMA** supra, the matter is directed to be referred by the Station House Officer concerned to the Committee constituted for reconciliation and settlement, and in a contra situation, to proceed with the subject matter of crime on merits. During the negotiations before the Committee so constituted, the petitioners-A1 to A5 shall not be arrested.

6. The Criminal Petition is disposed of accordingly.

DR.SHAMEEM AKTHER, J

24th May 2018
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¹ 2017 (2) ALT (CrI.) 393 (SC)