

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.19160 OF 2018

ORDER:

This writ petition is filed challenging the action of the respondents in interfering with the petitioners personal life and liberty and calling upon them to the police station without registering any FIR on the complaint alleged to have been made by the respondent No.3 and in directing the petitioner to settle the matrimonial dispute between the petitioners and respondent No.3 even without issuing notice under Section 41-A of the Code of Civil Procedure.

Heard learned counsel for the petitioners.

Learned Assistant Government Pleader for Home produced written instructions stating that basing on the complaint made by the 3rd respondent, an FIR was registered on 11.06.2018 vide FIR No.394/2018 under Section 498-A IPC; that later this respondent made a requisition to the Mandal Legal Services Authority to summon the petitioner and 3rd respondent for counselling; and that till this respondent receives report from the Mandal Legal Services Authority that the counselling has failed, this respondent will not proceed with the matter. It is further stated that if the counselling fails before the above committee, then this respondent will follow provisions of Cr.P.C. and issue Section 41(A) Notice of Cr.P.C and proceed with the matter.

Recording the aforesaid submission of the learned Assistant Government Pleader, the writ petition is disposed of and the respondents are to follow the decision of the Apex Court in ***Arnesh Kumar v. State of Bihar (2014 (8) SCC 273)***. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

18.06.2018
t k.

A.RAJASHEKER REDDY, J

