

HON'BLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.6620 OF 2018

ORDER:

Heard learned counsel for the petitioner-A1 in crime No.21 of 2018 of Uyyalawada Police Station, Kurnool District, registered for the offences punishable under Sections 420 & 498-A r/w 34 IPC and Sections 3 & 4 of Dowry Prohibition Act and learned Public Prosecutor representing the State and perused the FIR, bail application averments and earlier dismissal of anticipatory bail application of the petitioner by the learned V Additional Sessions Judge, Allagadda, in CrI.M.P.No.968 of 2018 dated 18.06.2018 while granting anticipatory bail to A.2 & A.3.

As per the case diary, A.1 and the defacto complainant are wife and husband from the allegations of he deceived as if electrical contractor in performing marriage and later harassed to meet additional demands for dowry and the matter is referred for marriage counselling and it is pending.

Having regard to the above, pending marriage counselling efforts, the petitioner-A.1 cannot be arrested as per the expression of the Apex Court in **Rajesh Sharma & Others Vs. State of U.P. & Another**¹ and even thereafter the efforts for marriage counselling failed, if at all any arrest is required, the police strictly follow Section 41-A Cr.P.C. and the guidelines of **Arnesh Kumar v. State of Bihar**².

¹ 2017 (2) ALT (CrI.) 393 (SC)

² (2014 (2) ALT (CrI.) 457 SC)

Accordingly and in the result, this Criminal Petition is disposed of.

Miscellaneous petitions, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 18.07.2018
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