

**HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO**

**Criminal Petition No.6880 OF 2018**

**ORDER:**

The petitioners are A1 & A2 among five accused of Crime No.51 of 2018 on the file of Eluru II Town Police Station, Eluru, West Godavari District. The crime is registered for the offences punishable under Sections 498-A, 420, 354, 506 r/w 34 IPC and Sections 3 & 4 of the Dowry Prohibition Act based on the private compliant of *de facto* complainant filed on 23.10.2017 that was later referred to police for investigation under Section 156(3) Cr.P.C. in registration of said crime on 14.02.2018.

**2.** Heard the learned counsel for petitioners and the learned Public Prosecutor representing the State of Andhra Pradesh and perused the F.I.R. covered by the private complaint registered as such and the bail application averments and the earlier anticipatory bail dismissal order dated 20.06.2018 passed by the learned II Additional Sessions Judge, West Godavari, Eluru so far as the petitioners-A1 & A2 are concerned while granting anticipatory bail to A3 to A5.

**3.** Undisputedly, it is outcome of a private compliant referred to police for investigation in registration of the crime for the offences supra. None of the offences are

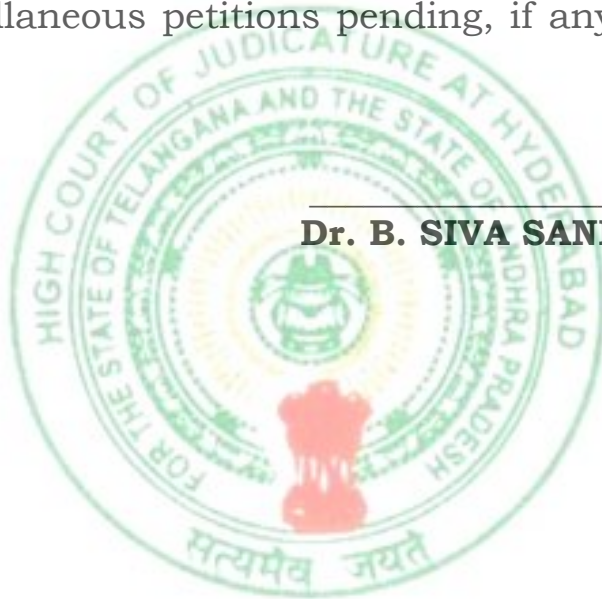
punishable above seven years, leave about the fact that the police are bound to follow Section 41-A Cr.P.C. including as per the guidelines of the Apex Court in **Arnesh Kumar v. State of Bihar**<sup>1</sup>. In the meanwhile, the police shall refer the parties for any possibility of conciliation as per the guidelines in the expression of Apex Court in **Rajesh Sharma v. State of U.P.**<sup>2</sup>.

Accordingly, this Criminal Petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed.

24.07.2018  
MVA

**Dr. B. SIVA SANKARA RAO, J**



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<sup>1</sup> (2014) 8 SCC 273

<sup>2</sup> 2017 (2) ALT (Crl.) 393 (SC)