

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.23508 OF 2018

ORDER:

This writ petition is filed challenging the action of the 2nd respondent in compelling the petitioner to visit the police station without there being any registration of crime against the petitioner and for a consequential direction to the 2nd respondent not to insist the petitioner to visit the police station, except in accordance with law.

Heard learned counsel for the petitioner.

Learned Assistant Government Pleader for Home produced written instructions stating that 3rd respondent gave a complaint on 21.06.2018 stating that petitioner is her husband and he is harassing her; that the same was also entered in General Diary on 22.06.2018; and that on the said complaint the 2nd respondent called the petitioner to police station to conduct counselling, but, the petitioner did not turn up to the police station till date. It is also stated that only after conducting counselling, case can be registered; and that since the petitioner did not turn up for counselling till date, no case is registered against the petitioner.

Recording the aforesaid submission of the learned Assistant Government pleader for Home the writ petition is disposed of. However, since the dispute between the parties is marital related dispute, it is apt to rely on the Judgment of Supreme Court in

RAJESH SAHRMA AND OTHERS V STATE OF U.P. AND ANOTHER [2017 (2) ALT (Crl.) 393 (SC)] and the matter requires to be referred by the Station House Officer-2nd respondent to the Committee constituted for report to consider any reconciliation and settlement and if it is not settled, then to proceed with the investigation of the matter on merits. No order as to costs.

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

17.07.2018
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A.RAJASHEKER REDDY, J