THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.7831 of 2018

ORDER:

This petition is filed under Section 482 of Criminal Procedure Code to quash the proceedings in C.C.No.298 of 2018 on the file of Judicial Magistrate of First Class, Dharmavaram, registered for the offence punishable under Sections 323, 498-A, 506, 509 read with 34 IPC and Sections 3 and 4 of the Dowry Prohibition Act, against petitioners.

2. Heard learned counsel for petitioners and learned Public Prosecutor for the first respondent-State.

3. The police after investigation filed charge sheet against the accused and the learned Magistrate took cognizance for the aforesaid offences.

4. The petitioners can raise all contentions before the trial Court at the stage of hearing before charges and if necessary by filing application under Section 239 Cr.P.C. and it is also left open to them to file application under Rule 37 of the Criminal Rules of Practice to consider after hearing for one to represent others.

5. In view of the order of this Court dated 31.07.2017 in Crl.P.No.6493 of 2017, relying upon the latest two Judge Bench expression of the Apex Court in ***Rajesh Sharma & Others Vs. State of U.P. & another***[1]***,*** the matter requires to be referred by the learned trial Magistrate to the Committee to be constituted for report to consider any reconciliation and settlement and if it is not settled, then to proceed with trial on merits.

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[1] 2017(2) ALT (Crl.) 393 (SC)

6. With the above direction, the Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

JUSTICE M. SATYANARAYANA MURTHY

26.07.2018
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HIGH COURT OF JUDICATURE AT HYDERABAD FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
सत्यमेव जयते