

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.8951 OF 2018

ORDER:

This criminal petition is filed to quash the proceedings in C.C.No.142 of 2016 on the file of Judicial Magistrate of First class, Guntakal, registered for the offences punishable under Sections 498-A r/w 34 IPC and Sections 3 & 4 of Dowry Prohibition Act.

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

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

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.

In view of the order of this Court dated 31.07.2017 in CrI.P.No.6493 of 2017, relying upon the latest two Judge Bench Judgment of the Apex Court in **Rajesh Sharma & Others v. 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.

¹ 2017(2) ALT (CrI.) 393 (SC)

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

Consequently, miscellaneous applications pending if any, shall also stand dismissed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Date:10.09.2018

SP

