

HON'BLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No. 10268 of 2018

ORDER :

Heard counsel for the petitioners in the unnumbered crime suspected to be registered from the report of the *de facto* complainant, no other than wife of accused No.1, dated 27.08.2018, addressed to the Superintendent of Police, Nellore, from which it was referred to the Protection Officer under Domestic Violence Act from the DVC No. 2 of 2018, on the file of Special Judicial Magistrate of First Class, Nellore, filed by her against the petitioner/ accused herein and another where she has given to the Protection Officer, allegedly not willing for the willingness of her husband – accused 1 to join and from the report there is demand for additional dowry and harassment and ill treatment attracting the offences punishable under Section 498-A IPC and Section 3 and 4 of Dowry Prohibition Act and from the submission that the report was referred to the Committee as per the expression of the Apex Court in **Rajesh Sharma & Others Vs. State of U.P. & Another**¹, and the said expression of referring the matters to the Committee of private settlement was later struck down by the Apex Court and the police are likely to register a crime and may arrest, thereby, seeking anticipatory bail.

2. It is a submission of the learned Public Prosecutor that the matter referred to the Committee, no report received, leave about the fact that after the expression of the Apex Court setting aside the directions of **Rajesh Sharma** referred supra there is no need of waiting for the report. One such is the case, the application can be

¹ 2017 (2) ALT (CrI.) 393 (SC)

disposed of, as for as on date there is no crime registered, with a direction not to arrest the petitioners for a period of one month, in the meantime, if at all any crime registered, the petitioners are at liberty to move the Court.

The criminal petition is accordingly disposed of.

Dr. B. SIVA SANKARA RAO, J

Date: 05.10.2018

JR



HON'BLE Dr. JUSTICE B.SIVA SANKARA RAO



CRIMINAL PETITION No. 10268 of 2018

Dated: 05.10.2018

JR

