

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.2484 of 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.4 & A.5, to quash the proceedings in C.C.No.42 of 2012 on the file of the V Additional Judicial Magistrate of First Class, Nellore.

2. Heard the learned counsel for the petitioners/A.4 & A.5, learned Assistant Public Prosecutor representing the 1<sup>st</sup> respondent-State and perused the record.

3. The learned counsel for the petitioners/A.4 & A.5 would submit that the instant case is squarely covered by the decision of the Apex Court in Rajesh Sharma and Others Vs. State of U.P. and Another<sup>1</sup>

4. In view of the orders of this Court, dated 31.07.2017, passed in Criminal Petition No.6493 of 2017 relying upon the latest Two-Judge Bench expression of the Apex Court, dated 27.07.2017, in Criminal Appeal No.1265 of 2017 (SLP (Crl.) No.2013 of 2017) in Rajesh Sharma's case supra, the learned Magistrate is directed to refer the matter to the Committee constituted in terms of the above referred decision, for report, to consider any reconciliation and settlement; and, if it is not settled, then to proceed with the trial of the case.

5. The Criminal Petition is disposed of accordingly.

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<sup>1</sup> 2017 (2) ALT (Crl.) 393 (SC)

Miscellaneous Petitions, if any, pending in this Criminal  
Petition, shall stand closed.

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Dr. SHAMEEM AKTHER, J

28<sup>th</sup> February, 2018  
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