

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

Crl.P.M.P.No.2123 of 2015 in Crl.P.No.1044 of 2014

and

Criminal Petition No.1044 of 2014

COMMON ORDER:

The *defacto* complainant and his Counsel Smt.A.Gayathri Reddy are present. A.1 to A.3 and their Counsel Sri M.Viswanadham are present.

Heard both sides and perused the petition.

A private complaint was filed by the complainant with the allegations that A.1 to A.3 who are partners took an amount of Rs.4,75,000/- as loan from the complainant for their business purpose and for the said amount they issued a cheque bearing No.292266 dated 18.07.2013 drawn on ICICI Bank, Himayathnagar Branch, Hyderabad but the same was returned with endorsement "funds insufficient" and later when the complainant asked for repayment, the accused avoided payment of the said amount and on 02.09.2013 at about 16:00 hours, when the complainant went to the residence of A.1 at Yousufguda, Rahmath Nagar for asking his amount, then all the accused attacked him with hands. Learned XVII Additional Chief Metropolitan Magistrate, at Nampally, Hyderabad took cognizance of the case and registered as C.C.No.603 of 2013.

While-so, now the parties and their learned Counsel present before this Court today and submitted that at the intervention of elders, they have amicably settled all their disputes and they are now willing to live peacefully and that the complainant has no objection for quashment of the proceedings in C.C.No.603 of 2013 on the file of XVII Additional Chief Metropolitan Magistrate, at Nampally, Hyderabad and hence, permission may be accorded to them to compound the offence and proceedings may be quashed in the interest of justice.

Having regard to the above said submission and in view of the fact that the dispute relates to a monetary transaction which the parties have amicably resolved and no useful purpose will be served even if the parties are driven to trial since they have compromised and by following the decision reported in ***Gian Singh vs. State of Punjab and another***, this petition is allowed and permission is accorded to the parties to compound the offence and consequently proceedings in C.C.No.603 of 2013 on the file of XVII Additional Chief Metropolitan Magistrate, at Nampally, Hyderabad are hereby quashed.

In the result, both the petitions are accordingly allowed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

U. DURGA PRASAD RAO, J

Date: 18.03.2015

SCS