

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

Crl.P.M.P.No.3050 of 2015 in Crl.P.No.14840 of 2013

and

Criminal Petition No.14840 of 2013

COMMON ORDER:

The complainant and her counsel Sri N.Siva Reddy are present. Respondent Nos.2 to 7 and their counsel Sri Ch. Dhanamjaya are present.

The complainant filed DVC No.32 of 2013 before the VI Additional Junior First Class Magistrate, Rajahmundry against the accused and the same is pending.

It may be noted that case against petitioner/A.1 was dismissed as withdrawn vide Court Order dated 13.12.2013.

While so, the parties and their Counsel appeared before this Court today and submitted that at the intervention of elders, they have amicably resolved all their disputes relating to the pending cases between the parties and as per the terms of the amicable settlement, the *defacto* complainant and A.1 agreed to obtain divorce and in fact the divorce application in FCOP No.34 of 2015 was already filed and pending before the Judge, Family Court, Rajahmundry and maintenance claim of the *defacto* complainant was also taken care and A.1 agreed to pay Rs.20,00,000/- to her i.e, he already paid Rs.10,00,000/- to her and obtained two D.Ds for balance amount of Rs.10,00,000/- which will be paid to her after obtaining divorce by mutual consent in the divorce petition and in view of the above settlement, the *defacto* complainant has no objection for quashment of the proceedings in DVC No.32 of 2013 before the VI Additional Junior First Class Magistrate, Rajahmundry and hence permission may be accorded to them to compound the offence and quash the proceedings in the interest of justice.

The parties further submitted that as per order in Crl.P.No.3817 of

2014 dated 16.04.2014 passed by this High Court, Sri D. Venkateswara Rao (Respondent No.5) deposited a sum of Rs.5,00,000/- (Rupees Five lakhs only) in the trial Court and in view of this compromise, the *defacto* complainant has no objection for taking return of the said amount by Respondent No.5.

Having regard to the above submission of the parties and in view of the fact that it is a matrimonial case wherein the parties have amicably settled all their disputes and that no useful purpose will be served even if the parties are driven to trial since they have compromised and 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 DVC No.32 of 2013 before the VI Additional Junior First Class Magistrate, Rajahmundry, East Godavari District are hereby quashed in terms of the joint memo. If R.5 deposited an amount of Rs.5,00,000/- in pursuance to the order in Crl.P.No.3817 of 2014, the trial Court shall return the said amount to him on proper proof, identification and acknowledgment.

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: 31.03.2015

scs