

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRL.P.M.P.NOs.8814, 8815,8816 & 8817 OF 2015

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CRL.P.NOs.15864 OF 2013 & 7862 OF 2015

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COMMON ORDER:

1. Since both the Criminal Petitions arise out of one and the same crime, both the Criminal Petitions are heard and being disposed of by this common order.

2. Crl.P.No.15864 of 2013 is filed by A2 to A8 and Crl.P.No.7862 of 2015 is filed by A1 under Section 482 Cr.P.C., seeking to quash the proceedings against them in Crime No.118 of 2013 on the file of the XIII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, for the offence punishable under Sections 498-A, 406 IPC and Sections 4 and 6 of the Dowry Prohibition Act.

3. When these matters are taken up, the petitioners and the 2nd respondent-de facto-complainant, who appeared before this Court, submitted through their respective Counsel that they entered into compromise and therefore, the proceedings in the above crime may be quashed. The 2nd respondent-de facto complainant also filed the above Crl.M.Ps., seeking permission to withdraw the case against the petitioners, and to record the compromise and to quash the proceedings. The 2nd respondent-complainant has also filed an affidavit before this Court and both the parties filed a joint memo.

4. Having regard to the fact that now the matrimonial dispute between the 2nd respondent and A1 has been settled amicably, no useful purpose would be served in continuing the prosecution launched against the petitioners for the offences punishable under Sections 498-A, 406 IPC and Sections 4 & 6 of the Dowry Prohibition Act. This Court is convinced that the continuance of the prosecution would be a sheer waste of time of the Court and it would also result in hardship to the parties.

5. Though the offence alleged under the Dowry Prohibition Act is non-

compoundable in nature, in view of the judgment of the Apex Court in **Gian Singh Vs. State of Panjab** , wherein it was held that where the dispute is predominantly civil in nature or in relation to matrimonial dispute, and if it is reported that the parties have amicably settled their dispute, the prosecution though launched for non-compoundable offence, the High Court in exercise of its powers under Section 482 Cr.P.C. can quash such prosecution.

6. Considering the above circumstances, this Court feels that it is fit case to quash the proceedings against the petitioners herein. Hence, the compromise is recorded and the above Crl.M.Ps. are ordered.

7. Accordingly, the Criminal Petitions are allowed quashing the proceedings against the petitioners in the above Crime No.118 of 2013 on the file of the XIII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 27.08.2015

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Dated 27th August, 2015.

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