

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

Crl.P.M.P.No.1623 of 2015 in Crl.P.No.6542 of 2013

and

Criminal Petition No.6542 of 2013

COMMON ORDER:

De-facto complainant and her counsel Sri Sai Gangadhar Chamarty are present. Accused 1 to 6 and their counsel Sri O.Kailashnath Reddy are present.

On the report given by de-facto complainant the police of Machilipatnam PS registered Cr.No.72 of 2010 against the accused for the offences under Section 498 r/w 34 IPC and Sections 3 and 4 of Dowry Prohibition Act and investigated into the matter and laid charge sheet and learned II Additional Judicial Magistrate of First Class, Machilipatnam took cognizance of the same and registered as C.C.No.257 of 2011.

While so, both the parties submitted that at the intervention of elders they have amicably settled all the disputes among them and in fact they have entered into Memorandum of Understanding before District Legal Services Authority, Machilipatnam incorporating the necessary terms of compromise including the maintenance claim of the defacto complainant and in view of the same, the defacto complainant has no objection for quashment of the proceedings in C.C.No.257 of 2011 on the file of II Additional Judicial Magistrate of first Class, Machilipatnam against the accused. Therefore, permission may be accorded to them to compound the offence and quash the proceedings.

Having regard to the above submission of the parties and considering the fact that it is a matrimonial matter and the parties have amicably resolved their disputes and no useful purpose will be served if they are driven to trial, and relying upon the decision reported in ***Gian Singh v. State of Punjab and another*** (2012) 10 SCC 303) this petition is allowed and permission is accorded to compound the offence and compromise is recorded in terms of Memorandum of Understanding and consequently the proceedings in C.C.No.257 of 2011 on the file of II Additional Judicial Magistrate of First Class, Machilipatnam 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: 25.02.2015

Murthy