

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO
CRIMINAL PETITION No.6007 of 2015

ORDER :

This Criminal Petition is filed by the Petitioner/Accused No.1 under Section 482 Cr.P.C seeking to permit the petitioner and the respondent No.2 to compound the offences in CrI.A.No.17 of 2007 pending on the file of the Court of Sessions Judge at Nizamabad preferred against the conviction and sentence passed in S.C. No.325 of 2006 on the file of Additional Assistant Sessions Judge, Nizamabad at Armoor.

2) The petitioner herein was charged for the offences punishable under Sections 376, 427, 447, 324, 506 read with 34 I.P.C and convicted for the said offences in S.C.No. 325 of 2006 and against the same, he preferred an appeal in CrI.A.No.17 of 2007. Now, the petitioner filed the present petition stating that the matter is settled outside the Court with the defacto-complainant/2nd respondent who married another person and living happily and the petitioner/A-1 also got wife, they filed an application to permit for compound by invoking Section 482 Cr.P.C.

3) The petitioner and the 2nd respondent through their respective advocates are present and they want to compound the above offences. Both the parties requested to compound the above offences by filing petition before this

Court. The defacto-complainant states that she along with her husband claims willingness to compromise the matter and they were settled the same for Rs.2,10,000/- which is lying with a mediator to pay on the date of permitting to compound the offences by the learned Sessions Judge. As the defacto-complainant herself and her husband voluntarily wants to compound, permission is granted by invoking inherent powers under section 482 Cr.P.C and to subserve the ends of justice irrespective of the trial Court's conviction judgment, which was impugned in the appeal from the claim of chance of success in giving by acquittal in the appeal. Accordingly permission is accorded and the offences are compounded and consequently the criminal appeal No.17 of 2007 on the file of learned Sessions Judge, Nizamabad is to be allowed by canceling the bail bonds of the accused.

4) Accordingly, the Criminal Petition is allowed and the appellate Court is hereby directed to dispose of the appeal pursuant to the order supra by canceling the bail bonds of the accused.

5) Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.01st July, 2015
KSH