

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

Crl.P.M.P.No.4598 of 2015 in Crl.P.No.4299 of 2015

and

Criminal Petition No.4299 of 2015

COMMON ORDER:

The *defacto* complainant and her Counsel M/s. M.Bhaskari Advocates are present. A.1 to A.5 and their Counsel Sri S.Rama Subhadra are present. A.6 is absent and he is represented by A.2 who is his GPA Holder.

On the report given by the *defacto* complainant, the Police of WPS, CCS, Hyderabad, registered a case in Crime No.24 of 2009 and after investigation laid charge sheet against A.1 to A.6 for the offences under Sec.498(A), 406, 506 I.P.C and Sec.4 & 6 of D.P.Act and the learned XIII Addl. Chief Metropolitan Magistrate, Hyderabad took cognizance of the case and registered as C.C.No.527 of 2010.

While so, today the *defacto* complainant, A.1 to A.5 and their respective Counsel present in Court and submitted that at the intervention of elders they have amicably resolved all their disputes and came to an understanding as per which, the *defacto* complainant and A.1 proposed to obtain divorce and in fact Divorce O.P.No.825 of 2011 was filed by A.1 before the Judge, Family Court, City Civil Court, Hyderabad and the parties will take steps to file a petition and amend the said divorce O.P as a divorce by mutual consent and they will mutually cooperate in this regard and the maintenance claim of the complainant was also taken care, as per which the accused today paid Rs.2,50,000/- under D.D.No.036325 dated 27.04.2015 drawn on HDFC Bank, Dilsukhnagar Branch, Hyderabad and balance amount of Rs.2,50,000/- will be paid at the time of obtaining divorce by mutual consent and further, both *defacto* complainant and A.1 filed undertakings to the effect that they will mutually cooperate for obtaining the divorce and in view of the above settlement, the *defacto* complainant has no objection for quashment of the proceedings in C.C.No.527 of 2010 on the file of XIII Addl. Chief Metropolitan

Magistrate, Hyderabad and therefore, this Court may be pleased to accord permission to them to compromise the matter and compound the offence and accordingly, quash the proceedings in the interest of justice.

Having regard to the above submission and in view of the fact that it is a matrimonial matter wherein the parties have amicably resolved their disputes and considering that no useful purpose will be served even if they are driven to trial as the chances of securing conviction are bleak since they have already compromised the matter 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 the proceedings in C.C.No.527 of 2010 on the file of learned XIII Addl. Chief Metropolitan Magistrate, Hyderabad are quashed in terms of memorandum of compromise and undertakings filed by the parties.

In the result, both the petitions are accordingly allowed.

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

U. DURGA PRASAD RAO, J

Date: 01.05.2015

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