

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

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Crl.P.M.P.No.2628 of 2015

AND

Crl.P.No.2415 of 2015

COMMON ORDER:

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This Criminal Petition is filed under Section 482 Cr.P.C. to quash the proceedings in F.I.R.No.470 of 2014 of Golkonda Police Station, Hyderabad, wherein the petitioner is arrayed as the accused for the offences punishable under Sections 417, 420 and 354 IPC, which were subsequently altered to Sections 376, 417 and 420 IPC.

In the complaint lodged by the 2nd respondent, it is alleged that the petitioner and the 2nd respondent are friends and had physical intimacy and that the petitioner promised to marry her, but now refused to do so. Looking at the allegations in the complaint, prima facie, the provisions of Section 376 IPC are not attracted.

In any event, the petitioner and the 2nd respondent have filed Crl.P.M.P.No.2628 of 2015 annexing joint memo thereto, wherein, the 2nd respondent has stated that she did not intend to prosecute the matter any further. An accompanying affidavit has also been filed by the 2nd respondent wherein it is stated that the matter was amicably settled at the intervention of well wishers and she has no interest in pursuing the case. The petitioner as well as the 2nd respondent are present in person and they have been identified by their respective counsel.

The 2nd respondent stated that she has voluntarily filed the joint memo and affidavit and that she has no intention of pursuing the complaint made against the petitioner.

Learned Public Prosecutor also stated that having regard to the

circumstances of the case, F.I.R. can be quashed.

In view of the submissions of the counsel for both sides and the learned Public Prosecutor and the statement made by the 2nd respondent in the Court, which is corroborated by the affidavit filed by her as well as the joint memo filed by both parties, this Criminal Petition is allowed and FIR No.470 of 2014 of Golkonda Police Station, Hyderabad, is hereby quashed in terms of compromise entered into between the parties. CrI.M.P.No.2628 of 2015 is also allowed.

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

JUSTICE M.S.RAMACHANDRA RAO

Date: 08.04.2015

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