

**HON'BLE SRI JUSTICE A. SHANKAR
NARAYANA**
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**CRL. PETITION MISC. PETITION No.3914 OF
2015**
IN
CRIMINAL PETITION No.3642 OF 2015
AND
CRIMINAL PETITION No.3642 OF 2015

-
COMMON ORDER:

The instant Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Code') by the petitioner – accused requesting to quash the proceedings in Crime No.218 of 2015 of Alwal Police Station, Cyberabad registered against him for the offences punishable under Section 363 read with 511, 497, 506 of the Indian Penal Code, 1860 (for short 'IPC') and are pending before the learned XXI Metropolitan Magistrate, Cyberabad, Medchal, Ranga Reddy District.

2. The facts, in brief, are that the petitioner herein is accused and the 2nd respondent herein is *de facto* complainant, on whose report, the Station House Officer, Alwal Police Station, Cyberabad registered Crime No.218 of 2015 against the petitioner herein for the offences punishable under Section 363 read with 511, 506 and 497 IPC. The petitioner herein filed the instant petition to quash the said proceedings.

3. At this stage, the petitioner and the *de facto* complainant have come forward requesting the Court to record compromise and to quash the proceedings in the said crime on the ground that at the intervention of elders, they have arrived at the

compromise/settlement and, accordingly, they have filed Criminal M.P. No.3914 of 2015 under Section 320 (1) read with 482 of the Code, seeking permission of the Court to enter into compromise for the said offences, besides filing the affidavit of the 2nd respondent – V. Madana Gopal, and a joint memo on behalf of both parties, for recording compromise and to quash the proceedings in Crime No.218 of 2015 of Alwal Police Station for the aforesaid offences.

4. The petitioner and the 2nd respondent are present, and so also their respective counsel. The *de facto* complainant affirmed the contents mentioned in the joint memo and so also the petitioner herein, who is accused in the said crime.

5. Since the issue involved between the petitioner herein and the 2nd respondent will not have any impact on the society, and the same would enable them to live amicably as both belong to one and the same Department in which they have been working, though, the offence punishable under Section 363 read with 511 IPC is non-compoundable, still, in view of the legal principles laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab and another**^[1] and **Manohar Singh v. State of Madhya Pradesh and another**^[2], permission is accorded recording the compromise by ordering CrI.M.P. No.3914 of 2015 and, consequently, Criminal Petition No.3642 of 2015 is allowed quashing the proceedings in Crime No.218 of 2015 of Alwal Police Station, Cyberabad registered against the petitioner for the offences punishable under Section 363 read with 511, 497, 506 of Indian Penal Code, 1860 (for short 'IPC') in view of the joint memo

filed by the parties.

6. As a sequel thereto, miscellaneous petitions, if any, pending in the Criminal Petition, stand disposed of.

A. SHANKAR NARAYANA, J

April 29, 2015.
Mgr

[\[1\]](#) (2012) 10 SCC 303

[\[2\]](#) 2014 LawSuit (SC) 564