

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

Crl.P.No.4086 of 2015

ORDER :

This application is filed under Section 482 of Cr.P.C. to quash the proceedings in C.C.No.61 of 2013 on the file of Additional Munsif Magistrate, Chirala, Prakasham District.

2. The 2nd respondent had initiated the said prosecution against the petitioners under Sections 498-A and 420 IPC and Section 4 of the Dowry Prohibition Act, 1961.

3. The counsel for petitioners as well as the counsel for 2nd respondent have stated that a Memorandum of Understanding dt.31.03.2015 has been executed by 2nd respondent and 1st petitioner; and pursuant to the terms of the said understanding, the 2nd respondent had agreed not to prosecute C.C.No.61 of 2013 on the file of the above Court.

4. The 2nd respondent has also filed an affidavit stating that she has no intention to prosecute this case and so the proceedings in C.C.No.61 of 2013 may be quashed, since all issues are settled between herself and 1st petitioner.

5. The 2nd respondent is also present in the Court to-day and she is identified by her counsel Sri K. Chaitanya and on enquiry from the Court she stated that she had voluntarily entered into the said Memorandum of Understanding; and that she does not intend to prosecute C.C.No.61 of 2013.

6. It is also placed on record that four (04) Demand Drafts bearing Nos.872103 for Rs.9,00,000/-, 872104 for Rs.9,00,000/-, 872105 for Rs.9,00,000/- and 872107 for Rs.8,00,000/-, totaling to Rs.35,00,000/- all dated 27.03.2015, drawn on Syndicate Bank, Aminjikarai Branch, Chennai-29 towards permanent alimony and other claims of 2nd respondent are handed over by counsel for petitioners to 2nd respondent, and the 2nd respondent has acknowledged receipt of the same.

7. In this view of the matter, and having regard to the terms of Memorandum of Understanding dt.31.03.2015 executed by 2nd respondent and 1st petitioner, this Criminal Petition is allowed and the proceedings in C.C.No.61 of 2013 on the file of Additional Munsif Magistrate, Chirala, Prakasham District are quashed. No order as to costs.

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

JUSTICE M.S.RAMACHANDRA RAO

Date: 28-04-2015

Ndr/*