

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1945 of 2015

ORDER:

This Criminal Revision Case is filed by the petitioner-accused challenging the order, dated 17.08.2015, passed in CrI.M.P.No.634 of 2015 in CrI.A. No.207 of 2014 by the II Additional Metropolitan Sessions Judge, Hyderabad.

The petitioner was convicted by the trial Court in CC No.836 of 2010 vide order, dated 07.02.2014, for the offences punishable under Sections 498-A and 406 IPC and Section 4 and 6 of the Dowry Prohibition Act and was sentenced as follows:

- i. to undergo rigorous imprisonment for two (2) years and to pay a fine of Rs.2,000/- in default to undergo simple imprisonment for six months for the offence under Section 498-A IPC,
 - ii. to undergo rigorous imprisonment for two (2) years and to pay a fine of Rs.2,000/- in default to suffer simple imprisonment for three months for the offence under Section 406 IPC,
 - iii. to undergo rigorous imprisonment for one year and to pay a fine of Rs.1,000/- in default to suffer simple imprisonment for three months for the offence under Section 4 of the D.P. Act
 - iv. and also to undergo rigorous imprisonment for one year and to pay a fine of Rs.1,000/- in default to undergo simple imprisonment for three months for the offence under Section 6 of the Dowry Prohibition Act.
- All the sentences are ordered to run concurrently.

Against the said order, the petitioner preferred CrI.A. No.207 of 2014. During the pendency of the appeal, the petitioner filed CrI.A.M.P. No.634 of 2015 to compound the offences, stating that the matter between the petitioner and the de facto complainant has been settled out of Court at the intervention of the elders and well wishers. The said application was rejected by the appellate Court on the ground that the offences under the D.P. Act are non-compoundable.

Against the same, the present revision is filed.

Heard both sides and perused the material available on record.

Since the matter is arising out of matrimonial dispute, and the parties are intending to settle the issue amicably and lead their lives peacefully, this Court is of the view that the revision case can be disposed of with the following directions:

The petitioner and the de facto complainant are directed to file a fresh application before the appellate Court for compounding the offences. On filing of such application, the appellate Court is directed to consider the said application and dispose of the same in accordance with law, on or before 20.11.2015.

With the above directions, the Criminal Revision Case is disposed of. Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

October 06, 2015.
KTL