

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

Crl.P.M.P.No.4579 of 2015 in Crl.P.No.4276 of 2015

and

Crl.P.No.4276 of 2015

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Common Order:

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LW.2-Mohd. Mahaboob, the victim and his counsel Sri Md. Ghouse Pasha are present. Accused Nos.1, 3 to 5 and their counsel are present. A.2 is absent and he is represented by one Sri Mohd. Arif, S/o late Mohd. Yakub as G.P.A, who is present.

On the report given by *de-facto* complainant, the police of Jubilee Hills Police Station, Banjara Hills Division, West Zone, registered a case in Cr.No.94 of 2008 and after investigation laid charge sheet against Accused Nos. 1 to 5 for the offences under Sections 147, 148, 326 r/w 34 IPC.

The brief facts are that on 24.02.2008 when the complainant along with LW.2—Mohd. Mahaboob was standing in front of pan shop at Masjid Gadda, Jawaharnagar, the accused came and attacked with sticks and iron rods and beat LW.2—Mahaboob and caused injuries.

While so, today the victim-LW.2, Accused Nos. 1 to 5 and G.P.A of A.2 and their counsel present in Court and submitted that they are known persons and at the intervention of elders, they have amicably settled all their disputes and they want to lead peaceful life without any animosity and therefore, as per the settlement, LW.2-Victim had no objection for quashment of the proceedings in C.C.No.736 of 2009 against the accused Nos. 1 to 5 and as such permission may be accorded to them to compound the offence and quash the proceedings in the interest of justice.

Having regard to the said submission and in view of the fact that parties are known to each other and they have amicably resolved all their disputes and want to lead a peaceful life and considering the fact that the offence under Section 326 IPC though a grievous one but not a heinous offence and further considering that no useful purpose will be served even if they are driven to trial since the chances of securing conviction are bleak since the parties have compromised the matter and following

the decision reported in ***Gian Singh v. State of Punjab and another (2012)10 SCC 303***, Crl.P.M.P.No.4580 of 2015 is allowed and permission is accorded to compound the case. Consequently, the Criminal Petition is allowed and the Proceedings in C.C.No.736 of 2009 on the file of XVII Additional Chief Metropolitan Magistrate, Hyderabad, are quashed against the accused Nos. 1 to 5, as per the compromise petition filed by the parties by compounding the offence.

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

U.DURGA PRASAD RAO, J

Date: 29.04.2015

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