

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

CrI.P.M.P.No.536 of 2015 in CrI.P.No.551 of 2015

and

Criminal Petition No.551 of 2015

COMMON ORDER:

The de-facto complainant and her counsel Sri Gurralla Leo Devancy are present. Accused and his counsel Sri A.S.Bhavani Shanker are present.

On the report given by defacto complainant, the police of Banjara Hills PS registered Cr.No.1017 of 2014 against the accused for the offences under Sections 354, 448, 420, 506, 354-D IPC and investigation is reported to be pending.

The allegation is that complainant who is a M.Pharmacy student worked as part-time telecaller in Vishnu Infrastructure wherein the accused was Managing Director and later she left the job and at the request of accused she joined in his organization (Give Hope Foundation), Ameerpet where she worked upto April, 2013. At that time at his request she put some signatures on some papers apparently to help him in income tax problems. One day the accused recorded video of her private parts while she was changing her dress in the cabin and started black mailing her. She gave two blank leaves with her signatures and later the accused changed the name of the trust as "Give Life Trust". Due to fear she used to withdraw the money and give to him. On the instructions of accused, herself and other telecallers used to collect donations from the general public for the trust. The accused threatened the defacto complainant to

marry him otherwise he is going to spoil her life by spreading false rumors against her.

Now, the parties and their counsel present in the Court and submitted that at the intervention of elders they have amicably resolved their disputes and differences and in fact, defacto complainant gave false complainant with the pressure of her parents and she has no objection for quashment of proceedings and therefore, they may be permitted to compound the offence and accordingly quash the proceedings in the interest of justice.

Since in the compromise petition the complainant gave affidavit stating as if she gave false report to the police due to fear and pressure of her parents, this Court thought it fit to summon her parents to enquire them. Learned Public Prosecutor sent the police, but parents of the defacto complainant were not found in Andhra Nagar village, Nandipet Mandal Nizambad District where they used to reside. They were informed that the parents of the defacto complainant are residing at Pentakurthi village, Bodhan Mandal, Nizambad District, but the efforts of the police to secure them could not be fructified as they were not residing there also. Hence, the presence of the parents of defacto complainant could not be secured to cross check the affidavit details of the defacto complainant.

In these circumstances and having regard to the fact that defacto complainant is a major and she says that false allegations were made at the instance of her parents and uncle

and she has no objection for quashment of the proceedings and no useful purpose will be served if the investigation is allowed to be continued since the parties compromised, and following the decision reported in ***Gian Singh v. State of Punjab and another***^[1] this petition is allowed and permission is accorded to the parties to compound the offence and proceedings in Cr.No.1017 of 2014 of Banjara Hills, Hyderabad are hereby quashed in terms of compromise.

In the result, both the petitions are accordingly allowed.

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

U. DURGA PRASAD RAO, J

Date: 06.03.2015

Murthy

^[1] (2012) 10 SCC 303