

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRL.P.M.P.NO.8806 OF 2015

&

CRIMINAL PETITION NO.13802 OF 2013

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ORDER:

1. The above Criminal Petition is filed by A2 and A3 under Section 482 Cr.P.C., seeking to quash the proceedings against them in C.C.No.428 of 2013 on the file of the Additional Junior Civil Judge-cum-Judicial First Class Magistrate at Repalle, Guntur District.

2. The petitioners are alleged to have committed the offence punishable under Sections 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act.

3. When this matter is taken up, the petitioners and the 2nd respondent-de facto-complainant, who appeared before this Court, submitted through their respective Counsel that they entered into compromise and therefore, the proceedings in the above C.C. may be quashed. The 2nd respondent-de facto complainant also filed the above Crl.M.P, seeking permission to compound the above offence, and to record the compromise and to quash the proceedings in the above C.C. The 2nd respondent-complainant has also filed an affidavit before this Court and both the parties filed a joint memo.

4. Having regard to the fact that now the matrimonial dispute between the 2nd respondent and A1 has been settled amicably, no useful purpose would be served in continuing the prosecution launched against the petitioners for the offences punishable under Sections 498-A IPC and Sections 3 & 4 of the Dowry Prohibition Act. This Court is convinced that the continuance of the prosecution would be sheer waste of time of the Court and it would also result in hardship to the parties.

5 . Though the offence alleged under the Dowry Prohibition Act is non-compoundable in nature, in view of the judgment of the Apex Court in **Gian Singh Vs. State of Panjab** , wherein it was held that where the dispute is predominantly civil in nature or in relation to matrimonial dispute, and if it is reported that the parties

have amicably settled their dispute, the prosecution though launched for non-compoundable offence, the High Court in exercise of its powers under Section 482 Cr.P.C. can quash such prosecution.

6. Considering the above circumstances, this Court feels that it is fit case to quash the proceedings against the petitioners herein. Hence, the compromise is recorded and the above Crl.M.P. is ordered.

7. Accordingly, the Criminal Petition is allowed quashing the proceedings against the petitioners in the above C.C.No.428 of 2013 on the file of the Additional Junior Civil Judge-cum-Judicial First Class Magistrate at Repalle, Guntur District. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 27.08.2015

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Dated 27th August, 2015.

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