

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

Crl.P.M.P.No.1154 of 2015 in Crl.P.No.574 of 2015

and

Criminal Petition No.574 of 2015

COMMON ORDER:

In fact, the matter is posted from 13.02.2015 today for verification whether the offence under Section 354 IPC is triable by Sessions Court or by Magistrate Court. It is represented by learned counsel for petitioner that in view of amendment the offence under Section 354 A to D are triable by any Magistrate. Be that it may, matter is coming up for compounding the offence at the intervention of elders. The presence of the parties is dispensed with in view of their presence on the previous occasion.

On the report given by defacto complainant the police Yelamanchili Town PS registered FIR No.84 of 2014 and investigated into the matter and filed charge sheet against the accused and learned Additional Judicial First Class Magistrate, Yellamanchili, Visakhapatnam took cognizance of the case for the offences under Sections 354(1), 324, 506, 509, 448, 341 IPC and registered as C.C.No.531 of 2014.

Now, it is submitted by both the counsel that the parties are close relations and at the intervention of elders they have resolved their disputes and entered into compromise and thereby defacto complainant has no objection for quashment of proceedings and therefore, the Court may be pleased to permit the parties to compound the offence and accordingly quash the

proceedings in the interest of justice.

Having regard to the above submission and in view of the fact that the parties are close relations and they have amicably resolved their disputes and the offences alleged are not grave ones and no useful purpose will be served if there are driven to trial, 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 C.C.No.531 of 2014 on the file of Additional Judicial First Class Magistrate, Yellamanchili, Visakhapatnam are hereby quashed in terms of joint memo filed by the parties.

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: 04.03.2015

Murthy

^[1] (2012) 10 SCC 303