

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION Nos.5426 and 5427 of 2015

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COMMON ORDER:

Pending disposal of these two criminal petitions, filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'). Criminal Petition No.5426 of 2015 is to quash the proceedings in C.C. No.561 of 2011, that was taken cognizance under Section 190 Cr.P.C by the learned III Additional Judicial First Class Magistrate, Tirupathi, against the petitioners 1 to 5 on the report of the *de facto* complainant and final report thereon filed by the police, and Criminal Petition No.5427 of 2015 is to quash the proceedings in D.V.C. No.16 of 2013 on the file of the Court of the learned VI Additional Judicial First Class Magistrate, Warangal, against the said petitioners and another as petitioners 1 to 6, who are respondents in the said D.V.C, filed by the second respondent herein, Criminal Petition M.P.No.5458 of 2015 is filed in Criminal Petition No.5426 of 2015 seeking permission to compound the offence and to quash the proceedings in C.C.No.561 of 2011, and Criminal Petition M.P. No.5461 of 2015 is filed in Criminal Petition No.5427 of 2015 seeking stay of all further proceedings in D.V.C. No.16 of 2013.

2. Heard the learned counsel for both sides. Perused the material on record.

3. The *de facto* complainant as well as the A.1 to A.5 in C.C. No.561 of 2011, and the *de facto* complainant therein as the petitioner in D.V.C. No.16 of 2013, against the said accused and another as respondents, are present and stated that the claims are settled and a sum of Rs.10,00,000/- (Rupees ten lacs only) in all is agreed to be paid to the petitioner in D.V.C./*de facto* complainant in C.C. supra, of which Rs.5,00,000/- (Rupees five lacs only) is already paid and Rs.5,00,000/- (Rupees five lacs only) is deposited with elders to pay on the date of passing of the order in the application, to be converted as consent divorce, filed under Section 13-B of the Hindu Marriage Act, 1955, pending on the file of the Family Court, Warangal, after six months waiting period.

4. Permission is accorded to compromise the proceedings in D.V.C. No.16 of 2013 and to compound the Calendar Case in C.C. No.561 of 2011 and consequently the offence is compounded and the D.V.C. matter is compromised.

5. In the result, both the Criminal Petitions are allowed, and the proceedings in C.C. No.561 of 2011 on the file of the Court of the learned III Additional Judicial First Class Magistrate, Tirupathi as well as the proceedings in D.V.C.No.16 of 2013 on the file of the Court of the learned VI Additional Judicial First Class Magistrate, Warangal, are hereby terminated.

Miscellaneous petitions pending, if any, in these Criminal Petitions shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 15.06.2015

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