

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

Crl.P.M.P.No.545 of 2015 in Crl.P.No.8270 of 2014

and

Crl.P.No.8270 of 2014

Common Order:

T h e *defacto* complainant and her counsel Sri V.V.S.S.Kameswara Rao are present. A.2 and A.3 and their counsel Sri Challa Dhanamjaya are present.

Heard both sides and perused the petition.

Upon the report given by *defacto* complainant, the Police of Kancharapalem P.S, Visakhapatnam City filed charge sheet in Crime No.605 of 2013 against Accused Nos.1 to 3 for the offences under Sec.498-A IPC and Sec.3 & 4 of Dowry Prohibition Act and the learned I Additional Chief Metropolitan Magistrate, Visakhapatnam took cognizance of the same and registered as C.C.No.1575 of 2013.

The allegations are that the marriage between the *defacto* complainant and A.1 took place at Annavaram Temple on 08.08.2012. At that time he was working as Software Engineer and subsequently all the accused started harassing the *defacto* complainant for more dowry and gold ornaments and A.1 avoided marital intimacy in order to hide his impotency etc.

Now the submission of both sides it that at the intervention of elders and well-wishers, they have settled their disputes amicably and accordingly they proposed to take divorce by filing a divorce application and sofaras maintenance claim of the

defacto complainant is concerned, A.1 paid an amount of Rs.3,50,000/- by way of D.D.No.683495 dated 04.12.2014 drawn on State Bank of India, PBB Rajahmundry Branch and the same is kept with mediators and the accused have also returned the gold ornaments of *defacto* complainant and in view of the amicable settlement of the disputes, the *defacto* complainant has no objection for quashment of the proceedings in C.C.No.1575 of 2013 and she also agrees to withdraw the DVC No.30 of 2013 filed by her before the I Additional Chief Metropolitan Magistrate, Visakhapatnam and further, A.1 agreed to withdraw the O.P.No.39 of 2013 filed by him before the Family Court at Rajahmundry for restitution of conjugal rights and hence this Court may be pleased to accord permission to them to enter into compromise and record the compromise and quash the proceedings in C.C.No.1575 of 2013 on the file of the I Additional Chief Metropolitan Magistrate, Visakhapatnam in the interest of justice.

Having regard to the above said submission and considering the fact that it is a matrimonial matter wherein the parties have amicably settled their differences as referred supra and also considering that no useful purpose will be served even if they are driven to trial since they compromised and following the decision of Apex Court reported in ***Gian Singh vs. State of Punjab and another***^[1], this petition is allowed and permission is accorded and compromise is recorded in terms of the accompanying memorandum of compromise and consequently

the proceedings in C.C.No.1575 of 2013 on the file of the I Additional Chief Metropolitan Magistrate, Visakhapatnam are hereby quashed.

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: 11-02-2015

SCS

[\[1\]](#) (2012) 10 SCC 303