

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

Crl.P.M.P.No.3431 of 2015 in Crl.P.No.3238 of 2015

and

Criminal Petition No.3238 of 2015

COMMON ORDER:

The *defacto* complainant and his Counsel Smt.M.Rameswari, are present. A.1 and A.2 and their Counsel Sri P.Vishnuvardhan Reddy are present.

Heard both sides and perused the petitions.

On the report given by the *defacto* complainant, the Police of Adibatla P.S, registered a case in Crime No.588/2013 and after investigation laid charge-sheet against A.1 and A.2 for the offences under Sec.304-A IPC and Sec.184 and 196 of M.V. Act.

The prosecution case is that Nanditha @ Nandini, 3 ½ years old girl who is the brother's daughter of *defacto* complainant was studying L.K.G at St. Mathews High School, Nadergul and used to go to School by School Bus. A.1 is the driver, A.2 is the Correspondent of the said School. On 20.09.2014 at afternoon she was returning from school in the said school bus and she got down the bus at Vijayalaxmi Colony and while crossing the road from the front of the road, the bus driver drove the bus and dashed her causing her instantaneous death. It is found that the school authorities have not taken precautionary measures during the transport of school children and also not perused the vehicle documents like insurance etc., Hence the charge sheet against A.1 and A.2.

While-so, the parties and their learned counsel and also the

father of deceased girl namely P. Yadagiri appeared before this Court today and represented that at the intervention of elders they have amicably resolved all their disputes and as per the terms of the agreement, the accused have paid an amount of Rs.3,50,000/- as compensation to the parents of the deceased girl and in view of it, the defacto complainant and the father of deceased have no objection for quashment of proceedings against accused in C.C.No.62 of 2015 on the file of IV Metropolitan Magistrate, Ibrahimpatnam and therefore, this Court may be pleased to accord permission to them to compound the offence and quash the proceedings in C.C.No.62 of 2015 in the interest of justice.

Having regard to the above submission of the parties and in view of the fact that the parties have amicably resolved their disputes and though an unfortunate incident occurred, the accused have compensated the parents of the deceased girl and also considering that no useful purpose will be served even if the parties are driven to trial and by following the decision reported in ***Gian Singh*** decision reported in ***Gian Singh vs. State of Punjab and another***^[1], this petition is allowed and permission is accorded to the parties to compound the offence and consequently proceedings in C.C.No.62 of 2015 on the file of IV Metropolitan Magistrate, Ibrahimpatnam are quashed in terms of joint compromise 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.

Date: 17.04.2015
SCS

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