

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

Crl.P.M.P.No.1802 of 2015 in Crl.P.No.644 of 2015

and

Criminal Petition No.644 of 2015

COMMON ORDER:

De-facto complainant and her counsel Sri A.D.Vara Prasad are present. Accused and their counsel Sri V.Venkata Mayur are present.

On the report given by defacto complainant the police of Kuppam PS, Chittoor District registered Cr.No.75 of 2014 and after investigation laid charge sheet against the accused for the offences under Sections 498A IPC and Sections 3 and 4 of Dowry Prohibition Act and charge sheet was taken cognizance and registered as C.C.108 of 2014 and pending on the file of Judicial Magistrate of First Class, Kuppam.

While so, both the parties submitted that at the intervention of elders they have amicably settled their disputes and defacto complainant and A1 obtained divorce in M.C.No.723 of 2014 on the file of V Additional Principal Judge, Family Court, Bangalore and maintenance claim of defacto complainant is also taken care and A1 agreed to pay Rs.10 lakhs to her and he already paid Rs.5 lakhs i.e. Rs. 2 lakhs by way of D.D.No.025010 dated 27.12.2014 and Rs.3 lakhs by way of D.D.No.025609 dated 14.02.2015 drawn on ICICI Bank BTM Layout, Bangalore and balance amount of Rs.5 lakhs is concerned, A1 today paid the same by way of D.D.No.200434 dated 26.02.2015 drawn on ICICI Bank, BTM Layout, Bangalore and in view of the same,

defacto complainant has no objection for quashing the proceedings in C.C.No.108 of 2014 and therefore, permission may be accorded to the parties to compound the offence and quash the proceedings in the interest of justice.

Having regard to the above submission and in view of the fact that it is a matrimonial matter wherein parties have amicably settled their disputes and no useful purpose will be served if they are driven to trial, and following the decision reported in ***Gian Singh v. State of Punjab and another*** (2012) 10 SCC 303) this petition is allowed and permission is accorded to the parties to compound the offence and consequently proceedings in C.C.No.108 of 2014 on the file of Judicial Magistrate of First Class, Kuppam are hereby quashed in terms of joint memo filed by the parties.

In the result, the petitions are accordingly allowed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

U. DURGA PRASAD RAO, J

Date: 27.02.2015

Murthy