

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRLP.No.7858 of 2014

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ORDER :

This Criminal Petition is filed by the petitioner/ accused No.5 in C.C No.115 of 2014 on the file of the Judicial First Class Magistrate at Kamareddy, Nizamabad District, under Section 482 Cr.P.C seeking to quash the charge sheet taken cognizance for the offences under Sections 498-A, 323, 324, 506 r/w 34 IPC and Section 4 of Dowry Prohibition Act.

2) Pending the same, the application is filed to compound the offence seeking permission. It is the submission of the counsel for petitioner that the case, so far as accused Nos.1 to 4 concerned, on full dressed trial ended in acquittal on merits. No doubt, as per Schedule-I of Section 320 Cr.P.C, the offence under Section 324 of Cr.P.C shows not compoundable equally, Section 4 of D.P.Act is not compoundable.

3) However, from the factual matrix and from the decision of this Court in ***Darapuneni Raj Kumar vs State of A.P*** holding that the offence under Section 324 I.P.C is compoundable, permission is accorded under Section 320 Cr.P.C and following to the expression under Section 482 Cr.P.C permitting to compound the offence under Section 4 of D.P.Act. Consequently, as the offence compounded in the presence of de facto complainant and petitioner/ accused No.5, the charge sheet proceedings are quashed. The bail bonds of the petitioners, if any, shall stand cancelled.

4) Accordingly, the Criminal Petition is disposed of.

5) Consequently, miscellaneous petitions, pending if any in the Criminal Petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

08.06.2015

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