

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.2765 OF 2016

-
ORDER:

-
This petition is filed by the petitioners-accused Nos.3 & 5 under Section 482 Cr.P.C. seeking to quash the proceedings against them in C.C.No.200 of 2013 on the file of the XI Additional Chief Metropolitan Magistrate, Secunderabad.

Heard and perused the material available on record.

It is alleged that while the 2nd respondent along with his cleaner was returning from Balanagar in his Van, a person, who is driving a Scorpio vehicle came from backside and asked him to give the side by giving horn and due to heavy traffic, the 2nd respondent could not able to move aside and then, the petitioners and others, who were travelling in the Scorpio, came in front of his van and beat him and his cleaner with hands. Thus, the petitioners are alleged to have committed the offence punishable under Sections 147 and 324 r/w 149 IPC.

Learned Counsel for the petitioners submitted that on the earlier occasion A1, A2 and A4 in the above case filed CrI.P.No.2281 of 2015 before this Court to quash the proceedings against them in the above C.C. and the said Criminal Petition was allowed on the ground that the parties have amicably resolved their disputes and filed an application to compound the offence. He further submitted that in CrI.P.No.2281 of 2015, in the joint memo of compromise, the de facto complainant stated that he under took to withdraw the said case unconditionally and therefore, the proceedings against the present petitioners can be quashed.

On perusal of the material on record, it is evident that in the joint memorandum of compromise filed in CrI.P.No.2281 of 2015, it is stated that the 2nd respondent intended to withdraw the entire case due to intervention of elders. Even though the petitioners and the de facto complainant are not present before this Court, but in view of the

contents in the joint memo filed in the earlier Criminal Petition, which was allowed, this Court is of the view that continuation of proceedings against the petitioners in the above C.C. will not serve any purpose and therefore, the proceedings against them can also be quashed.

Accordingly, the Criminal Petition is allowed quashing the proceedings against the petitioners-A3 and A5 in C.C.No.200 of 2013 on the file of the XI Additional Chief Metropolitan Magistrate, Secunderabad. However, the petitioners-accused are directed to pay Rs.2,000/- (Rupees Two Thousand only) together towards costs to Telangana State Legal Services Authority, within 10 (ten) days. The registry is directed to issue a copy of this order to the petitioners, after furnishing the receipt of payment of costs. Miscellaneous petitions pending if any shall stand closed.

JUSTICE RAJA ELANGO

Date : 8.3.2016
Nn

HONOURABLE SRI JUSTICE RAJA ELANGO

-
-
-
-

-
-
-
-
-

CRIMINAL PETITION No.2765 OF 2016

DATED 8.3.2016

Nn