

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.M.P.Nos.1734 & 1735 OF 2016

&

CRIMINAL PETITION No.1823 OF 2016

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ORDER:

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The above Criminal Petition is filed by the petitioners-accused Nos.1 & 2 under Section 482 Cr.P.C., seeking to quash the proceedings against them in C.C.No.580 of 2015 on the file of the XI Metropolitan Magistrate, Cyberabad at L.B.Nagar.

The petitioners are alleged to have committed the offences punishable under Sections 354, 420 and 506 IPC.

When this matter has been taken up, the petitioners and the 2nd respondent-de facto complainant, who appeared before this Court, submitted through their Counsel that due to intervention of elders, they entered into compromise and therefore, the proceedings in the above C.C. may be quashed. The 2nd respondent-de facto complainant filed an affidavit to that effect. Both the parties filed a joint memo of compromise also. It is submitted that the petitioners have filed an application before the Court below seeking for compounding the above offences, but the Court below dismissed the same by observing that the offences are non-compoundable.

In view of the compromise arrived at between the parties, the continuation of the proceedings against the petitioners-accused Nos.1 & 2 would be the exercise in futility. In a case of this nature, the Courts would be justified in invoking its inherent jurisdiction, and the technicalities should not be allowed to stand in the way of Courts' power to quash the criminal proceedings even in the case of non-compoundable offences.

In the above circumstances and in view of the compromise, this

Court feels that it is just and proper to quash the proceedings against the petitioners herein. Hence, the above Crl.M.Ps are ordered, and the proceedings against the petitioners-A1 and A2 in C.C.No.580 of 2015 on the file of the XI Metropolitan Magistrate, Cyberabad at L.B. Nagar, are quashed.

Accordingly, the above Crl.M.Ps are ordered and the Criminal Petition is allowed. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

February 15, 2016.

KTL