

**THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY**

**Cr1.P.M.P.NO.17693 of 2016 IN/AND Cr1.P.No.15615 of 2016**

**COMMON ORDER:**

**Cr1.M.P.No.17693 of 2016:**

This petition is filed under Section 320(2) R/W 482 of Criminal Procedure Code (for short "Cr.P.C.") seeking permission to compound the offences punishable under Sections 312, 498-A, 377,506 IPC and under Sections 3,4 and 6 of DP Act in Cr.No.36 of 2016 on the file of Mahila Police Station, Vijayawada City, Krishna District (II Addl. Chief Metropolitan Magistrate, Vijayawada, Krishna District).

In "*Gian Singh v. State of Punjab and Anr.*<sup>1</sup>" the Apex Court held that depending upon the facts and circumstances of each case, the High Court can exercise its inherent power under Section 482 Cr.P.C., however before exercising such power, High Court must have due regard to nature and gravity of crime and its social impact. It is further held that heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc., could not be fittingly quashed even though victim or victim's family and offender have settled dispute. Such offences were not private in nature and have serious impact on society. Similarly any compromise between victim and offender in relation to offences under special statutes like Prevention of Corruption Act or offences committed by public servants while working in that capacity etc; could not provide for any basis for quashing criminal proceedings involving such offences.

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<sup>1</sup> (2012) 10 SCC 303

By applying the principle laid down in the above judgment, since the settlement is in the interest of both petitioner/husband and respondent/wife, I find that it is a fit case to permit the petitioner to compound the offence.

Accordingly, permission is accorded as sought for.

**Crl.P.No.15615 of 2016:**

Heard.

Both parties are present in person and they are identified by their respective counsel. Both the parties informed this Court about the settlement of their dispute and they are leading peaceful marital life and requested this Court to quash the proceedings in Crime No.36 of 2016 on the file of Mahila PS, Vijayawada City, Krishna District (II Addl. Chief Metropolitan Magistrate, Vijayawada, Krishna District).

In view of the Order passed in Crl.P.M.P.No.17693 of 2016, this petition is allowed. No costs.

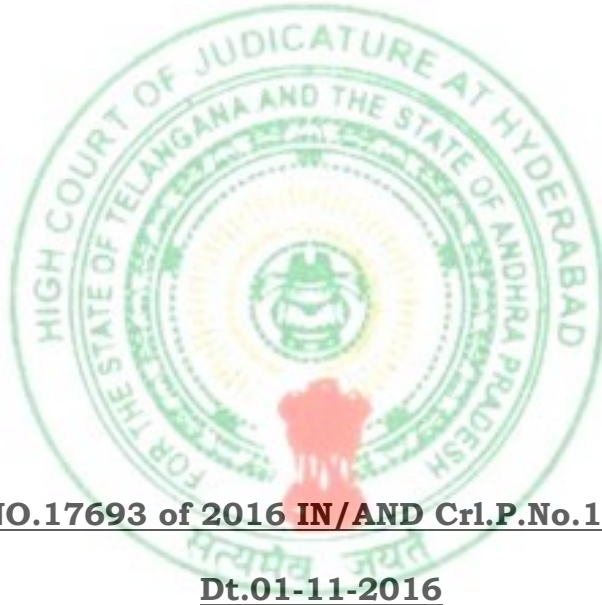
The miscellaneous petitions pending, if any, shall also stand closed.

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**JUSTICE M. SATYANARAYANA MURTHY**

Dt.01.11.2016  
Note: Issue C.C. today.  
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**Dt.01-11-2016**

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