

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.M.P.Nos.5134 and 5135 OF 2016

&

CRIMINAL PETITION No.4519 OF 2016

ORDER:

The above Criminal Petition is filed by the petitioner-accused under Section 482 Cr.P.C., seeking to quash the proceedings against him in S.C.No.184 of 2015 on the file of the VI Additional District & Sessions Judge-cum-Mahila Court, Visakhapatnam.

The petitioner is alleged to have committed the offence punishable under Sections 354 and 323 IPC.

When this matter has come up, the 2nd respondent-de facto complainant and the petitioner, who appeared before this Court, represented through their Counsel that due to intervention of elders, they entered into compromise and therefore, the proceedings in the above crime may be quashed. The 2nd respondent-de facto complainant also filed an affidavit to that effect. Both the parties filed a joint memo of compromise also.

In view of the compromise arrived at between the parties, the continuation of the proceedings against the petitioner-accused would be the exercise in futility. 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 is of the view that it is just and proper to quash the proceedings against the petitioner herein. Hence, the above Crl.M.Ps are ordered and the proceedings against the petitioner-accused in S.C. No.184 of 2015 on the file of the VI Additional District and Sessions Judge-cum-Mahila Court, Visakhapatnam, are quashed. The petitioner is directed to pay a sum of Rs.5,000/- (Rupees Five Thousand only) towards costs to the Andhra Pradesh State Legal Services Authority. The Registry is directed to issue a copy of this order to the parties concerned after furnishing a receipt of payment of costs.

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

JUSTICE RAJA ELANGO

Date : 31.03.2016
Nn

THE HONOURABLE SRI JUSTICE RAJA ELANGO

-
-
-
-
-
-
-
-

Crl.M.P.Nos.5134 and 5135 OF 2016
&
CRIMINAL PETITION No.4519 OF 2016

Dated 31st March, 2016.

Nn