

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.P.M.P.No.4810 of 2016

IN/AND

Crl.P.No.4260 OF 2016

COMMON ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioner/accused seeking to quash the proceedings in Crime No.39 of 2016 on the file of Jawaharnagar Police Station, Cyberabad, which is pending on the file of XXI Metropolitan Magistrate at Medchal, Cyberabad, Ranga Reddy District.

2. Heard and perused the material on record.

3. The offence alleged against the petitioner is punishable under Section 354(a) I.P.C. During the pendency of the petition, the petitioner and respondent No.1/*de facto* complainant filed Crl.P.M.P.No.4810 of 2016 to permit them to compound the offence and to compromise the matter by recording the compromise entered into between them. They also filed a compromise memo for compromising the matter.

4. Both parties are present and they are identified by their respective counsel. In view of the compromise arrived at between the parties, the continuation of proceedings against the petitioner/accused would be an 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.

5. 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 petitioner herein.

6. Accordingly, Crl.M.P.No.4810 of 2016 is ordered and the Criminal Petition is allowed quashing the proceedings in Crime No.39 of 2016 on the file of Jawaharnagar Police Station, Cyberabad, which is pending on the file of XXI Metropolitan Magistrate Court at Medchal, Cyberabad, Ranga Reddy District. However, the petitioner shall deposit a sum of Rs.1,500/- (Rupees one thousand and five hundred only) to the Telangana State Legal Services Authority, Hyderabad towards costs.

7. The Registry is directed to issue a copy of this order to the parties concerned after furnishing receipt of payment of costs.

8. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

29.3.2016
AMD

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