

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.P.No.1678 OF 2014

ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioners/A-3 and A-4 seeking to quash the proceedings in Crime No.149 of 2013 on the file of the Central Crime Station (CCS) Police Station, Hyderabad.

2. Heard and perused the material on record.

3. The offences alleged against the petitioners are punishable under Sections 406, 420 and 506 I.P.C.

4. Learned counsel for the petitioners submitted that the petitioners/A-3 and A-4 were remanded to judicial custody and later, released on bail; that respondent No.2/*de facto* complainant and A-1 and A-2 have settled the matter amicably and out of their settlement, respondent No.2 received an amount of Rs.90.00 lakhs from the sister concern of A-1 and A-2; that A-2 died on 2.11.2013; that respondent No.2 is also not inclined to proceed further in the case and hence, he prays to permit the petitioners to compromise the matter.

5. 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 petitioners/A-3 and A-4 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.

6. 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.

7. Accordingly, the Criminal Petition is allowed quashing the proceedings in Crime No.149 of 2013 on the file of the Central Crime Station (CCS) Police Station, Hyderabad insofar as the petitioners/A-3 and A-4 are concerned. However, the petitioners/A-3 and A-4 shall deposit a sum of Rs.10,000/- (Rupees ten thousand only) to the Telangana State Legal Services Authority, Hyderabad towards costs.
8. The Registry is directed to issue a copy of this order to the parties concerned after furnishing receipt of payment of costs.
9. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

16.3.2016
AMD

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