

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2330 of 2016

ORDER:

This criminal petition, under Section 482 of the Code of Criminal Procedure, is filed by the petitioner-Accused seeking to quash the proceedings in CC No.36 of 2014 on the file of II-Additional Judicial Magistrate of First Class, Tanuku, West Godavari District.

Heard and perused the material available on record.

The offences alleged against the petitioner are punishable under Sections 498-A, 406, 323, 452 and 342 r/w.34 IPC and 384 r/w.511 and 4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submitted that the petitioner and the de facto complainant - 2nd respondent have entered into compromise, but subsequently, due to some misunderstandings, the 2nd respondent intends to proceed with the trial of the case and the matter is likely to be compromised between the parties and hence, he prayed to quash the proceedings against the petitioner.

Unless and until the compromise is accepted by the competent Court, the proceedings against the petitioner cannot be quashed. Hence, this Court is not inclined to quash the proceedings against the petitioner. At this stage, learned counsel for the petitioner requested this Court to dispense with the presence of the petitioner before the trial Court.

Taking into consideration the submission of the learned counsel for the petitioner, the presence of the petitioner is dispensed with the before the trial Court except on the dates on which the trial Judge insists for his appearance. However, the petitioner shall be represented through his counsel before the trial Court on all hearing dates.

The Criminal Petition is dismissed accordingly. Miscellaneous petitions pending if any, shall stand closed.

RAJA ELANGO, J

February 25, 2016.

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