

HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

CrI.P.M.P.No.19194 and 19193 of 2016

IN/AND

CrI.P.No.8027 OF 2016

COMON ORDER.

CRL.P.M.P.(SR) No. 52636 and 52637 of 2016 are filed under seeking permission to compromise and to compound the offences punishable under Sections 498-A, 420, 307 read with 34 of IPC and Sections 3 and 4 of the Dowry Prohibition Act.

Both the parties are present in person and they are identified by their respective counsel and they unanimously stated that they entered into compromise out of court. If for any reason, trial of the case is proceeded, the prosecution witness would not support the case of prosecution and it is an attempt in futility.

In "*GIAN SINGH V. STATE OF PUNJAB AND ANR*"¹ 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

¹ (2012) 10 SCC 303

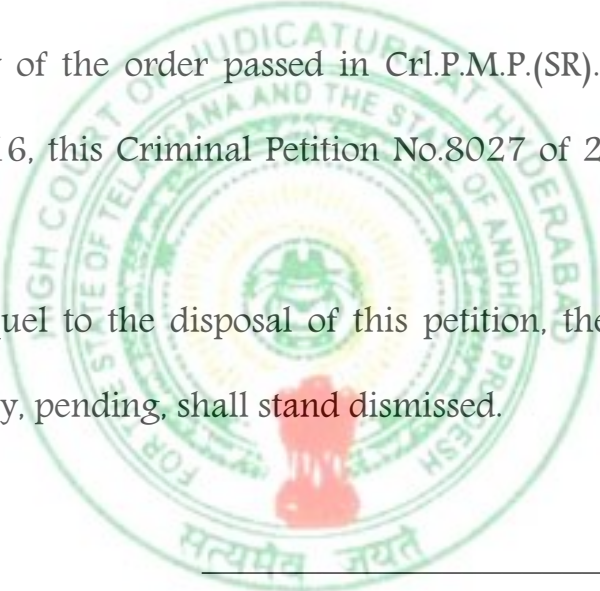
victim and offender in relation to offences under special statutes like Prevention of Corruption Act or offences committed by public servants while working in that capacity etc; could not provide for any basis for quashing criminal proceedings involving such offences.

By applying the principle laid down in the above judgment, since the settlement is in the interest of both parties, I find that it is a fit case to permit the petitioners to compound the offences.

Accordingly, permission is accorded in CRL.P.M.P. No. 18456 of 2016 as sought for.

In view of the order passed in Crl.P.M.P.(SR).No. 52636 and 52637 of 2016, this Criminal Petition No.8027 of 2016 is allowed. No costs.

As a sequel to the disposal of this petition, the Miscellaneous Petitions, if any, pending, shall stand dismissed.



JUSTICE M.SATYANARAYANA MURTHY

Dated 28-11-2016.

Dvs.

HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY



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Dated 28-11-2016.

Dvs