

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

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CRL.P.NOs.3080, 3139 and 13358 OF 2015 AND 9794 OF 2016
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COMMON ORDER

Since all the matters are connected, they are heard together and are being disposed of by this common order.

2. One Neelima Kothapelle, filed complaint against (1) Praveen Kumar Reddy, (2) Chichili Rukmangadha Reddy, (3) Chichili Arunamma, (4) Chakradhar Reddy Chichili and (5) Mahathi Naren, on the file of XV Chief Metropolitan Magistrate at Hyderabad, and on reference, is registered as Crime/FIR.No.20/2014 on the file of Women Police Station, Begumpet, North Zone, Hyderabad, for the alleged offences punishable under Sections 498-A, 120-B, 327, 385, 403, 506 read with 34 IPC and Sections 4 and 6 of Dowry Prohibition Act. Chichili chakradhar Reddy, - 4, filed Crl.P.No.3080/2015 under Section 482 Cr.P.C. to quash FIR/Crime No.20/2014. The accused No.5 – Mahathi Naren, filed Crl.P.No.3139/2015 under Section 482 Cr.P.C. to quash said crime. The police filed charge sheet in the said FIR/Crime No.20/2014 and the same is registered as C.C.No.377/2015 on the file of XV Additional Chief Metropolitan Magistrate at Nampally, Hyderabad. For quashing the said C.C. under Section 482 Cr.P.C., the accused No.1 – Chichili Praveen Kumar Reddy filed Crl.P.No.13358 of 2015 and the accused Nos.2 and 3 – Chichili Rukmangadha Reddy and Chichili Arunamma, filed Crl.P.No.9794 of 2016.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the 1st respondent - State and the learned counsel for the 2nd respondent - de facto complainant, in all the criminal petitions.

4. Today, when the matters came up for hearing, the learned counsel for the petitioners in all the petitions and the counsel for the de facto complainant submitted that the parties have amicably settled the matter and sought to quash the criminal petitions in terms of the compromise entered into

between the parties.

5. CrI.M.P.Nos.10619 and 10620 of 2016 in CrI.P.No.13358/2015 have been filed by the de facto complainant to permit to compound the offences and record compromise and to quash the proceedings in C.C.No.377/2015 on the file of XV Metropolitan Magistrate. The said de facto complainant filed CrI.M.P.No.10558/2016 in CrI.P.No.9794/2016 to permit to record compromise and quash the proceedings in C.C.No.377/2015 against accused 2 and 3. The accused 2 and 3 filed CrI.M.P.No.10557/2016 in CrI.P.No.9794/2016 to permit them to compound the offences and to quash the C.C.No.377/2015.

6. In CrI.P.Nos. 3080 and 3139 of 2015, the 2nd respondent in these petitions, who is the de facto complainant, filed counter affidavits to quash the proceedings, in view of the compromise entered between the parties in the connected criminal petitions in CrI.P.Nos.13358/2015 and 9794/2016.

7. The learned counsel submitted that in the present cases, some of the offences are non-compoundable and as the parties have settled the matter, sought this court, to record compromise and quash the proceedings. In support of this submission, the learned counsel relied on the judgment in **Yogendra Yadav v. State of Jharkhand**^[1], wherein the Apex Court held that “ *However, in a given case, the High Court can quash a criminal proceeding in exercise of its power under Section 482 of the Code having regard to the fact that the parties have amicably settled their disputes and the victim has no objection, even though the offences are non-compoundable.*”

8. The parties are present and submitted that they have amicably settled the matter and the 2nd respondent / de facto complainant, may be permitted to compound the above offence. The parties are identified by their counsel. The parties have signed in the joint memorandums of compromise and the same have been counter signed by their respective counsel. In view of these circumstances and the law laid down by Apex court in Yogendra Yadav’s case (supra), the criminal petitions in CrI.P.Nos.10619 and 10620 of 2016 in CrI.P.No.13358/2015, CrI.M.P.Nos.10557 and 10558/2016 in

Crl.P.No.9794/2016 are allowed.

9. The proceedings in C.C.No.377/2015 on the file of XV Additional Chief Metropolitan Magistrate at Nampally, Hyderabad, are hereby quashed and all the criminal petition are allowed in terms of the compromise. No costs.

10. Miscellaneous petitions pending if any, shall stand closed.

AVS

08.07.2016

[\[1\]](#) 2015 (1) ALD (Crl.) 240 (SC)