

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.8600 of 2015

ORDER:

This Criminal Petition is filed by the petitioners- accused Nos.3 to 4 seeking to quash the proceedings against them in CC No.46 of 2015 on the file of the XIII Additional Chief Metropolitan Magistrate, Hyderabad.

Heard and perused the material available on record.

The petitioners are alleged to have committed the offences punishable under Sections 498-A and 406 IPC and 3 & 4 of the Dowry Prohibition Act.

The 1st respondent - de facto complainant filed counter-affidavit in the present petition, wherein she has categorically admitted the fact that they have entered into a compromised and they have also entered into a Memorandum of Understanding and the same was signed by both of them. In the said MOU it was agreed to withdraw the cases pending between them and to live together. It is also stated in the counter by the de facto complainant that she could not appear before the Court since she is pregnant and prayed this Court to dismiss the quash petition and direct the petitioners to present before the trial Court. The said stand taken by the de facto complainant is totally contrary to the terms of compromise entered into between the parties.

In any event, in view of the compromise entered into between the parties and also considering the terms of memorandum of understanding, this Court is of the view that no purpose would be served if the proceedings in the above CC are allowed to be continued against the petitioners.

Hence, the Criminal Petition is allowed quashing the proceedings against the petitioners-A2 to A4 in CC No.46 of 2015 on

the file of XIII Additional Chief Metropolitan Magistrate, Hyderabad.
Miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

April 01, 2016.
KTL