

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.M.P.Nos.5349 and 5350 OF 2016

&

CRIMINAL PETITION No.4688 OF 2016

ORDER:

The above Criminal Petition is filed by the petitioners-accused Nos.1 and 2 under Section 482 Cr.P.C., seeking to quash the proceedings against them in FIR No.60 of 2014 on the file of Chandurthy, Karimnagar District.

The offences alleged against the petitioners are punishable under Sections 363 and 394 r/w.34 IPC.

When this matter is taken up for hearing, the petitioners and the 2nd respondent-de facto complainant, who appeared before this Court, submitted through their Counsel that due to intervention of the elders, they entered into compromise and therefore, the proceedings in the above case may be quashed. The 2nd respondent - de facto complainant filed an affidavit to that effect. He also filed an application to permit him to compromise the matter and the petitioners also filed an application to record the compromise. Both the parties filed a joint memo of compromise also.

When this Court enquired the 2nd respondent – de facto complainant, he informed that he is not interested in prosecuting the case against petitioners since they have entered into a compromise.

In view of the compromise arrived at between the parties, continuation of proceedings against the petitioners-accused Nos.1 and 2 in the above case would be the 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.

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 in the above case.

Accordingly, the Crl.M.Ps. are ordered and the Criminal Petition is allowed quashing the proceedings against the petitioners-Accused Nos.1 and 2 in FIR No.60 of 2014 on the file of Chandurthy Police Station, Karimnagar District. The petitioners are directed to pay Rs.3,000/- (Rupees Three Thousand only) towards costs to the Telangana State Legal Services Authority, Hyderabad.

Consequently, miscellaneous petitions pending if any, shall stand closed.

The Registry is directed to issue a copy of this order to the parties concerned, after furnishing receipt of payment of costs.

RAJA ELANGO, J

April 04, 2016.
KTL