

THE HONOURABLE SRI JUSTICE RAJA ELANGO
Crl.MP.Nos.4066 and 4067 of 2016 & Crl. P. No.8166 of 2013
And
Crl.MP.Nos.4399 and 4400 of 2016 & Crl. P. No.3941 of 2016

-

COMMON ORDER:

-

Criminal Petition No.8166 of 2013 is filed by the petitioners-accused Nos.2 to 6 and Criminal Petition No.3941 of 2016 is filed by the petitioner-accused No.1, under Section 482 Cr.P.C., seeking to quash the proceedings against them in CC No.570 of 2013 on the file of the II Additional Chief Metropolitan Magistrate, Vijayawada.

Both the criminal petitions arising out of the same CC, and hence, they are disposed of by this common order.

The petitioners are alleged to have committed the offence punishable under Section 498-A IPC.

When this matter has been taken up, the petitioners and the 2nd respondent in both the criminal petitions, 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, wife of A1 (petitioner in Crl.P. No.3941 of 2016), filed affidavits in both the petitions, to the effect that she has no objection to quash the proceedings in the above CC against the petitioners, in view of the compromise.

In view of the compromise arrived at between the parties, continuation of proceedings against the petitioners-accused Nos.1 to 6 in both the criminal petitions 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 in the above petitions. Hence, the above Crl.M.Ps. are ordered, and the proceedings against the petitioner-Accused No.1 in Crl.P. No.3941 of 2016 and petitioners – accused Nos.2 to 6 in Crl.P. No.8166 of 2013 in CC No.570 of 2013 on the file of the II-Additional Chief Metropolitan Magistrate, Vijayawada, is hereby quashed. The petitioners in both the petitions are directed to pay Rs.5,000/- (Rupees Five Thousand only) towards costs to the Telangana State Legal Services Authority, Hyderabad.

Accordingly, the above Crl.M.Ps. are ordered and the above two Criminal Petitions are allowed. 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

March 30, 2016.
KTL