

**THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY**

**Crl.PMP Nos.18671 AND 18672 OF 2016**  
**IN/AND**  
**CRIMINAL PETITION NO.16522 OF 2016**

**ORDER:**

This criminal petition is filed under Section 482 of Cr.P.C to quash the proceedings in C.C.No.112 of 2012 pending on the file of the Women Police Station, Mahabubnagar District, for the offences allegedly committed by the petitioners punishable under Section 498(A) & 420 IPC.

On enquiry, the parties stated that they settled the issue outside the Court due to intervention of elders and well-wishers by entering into compromise voluntarily for leading peaceful life. Further, as per the terms of compromise, the petitioner agreed to pay total amount of Rs.6,00,000/- to the second respondent, out of which Rs.4,00,000/- has already paid. Today, the first petitioner has drawn a demand draft bearing No.429615 for Rs.2,00,000/- dated 14.12.2016 towards final settlement and accordingly paid the said amount and receipt of the demand draft for Rs.2,00,000/- is acknowledged by the defacto complainant.

The petitioners and the defacto complainant are present in the Court today. They are identified by their respective counsels and they produced photostat copies of Identity cards to prove their identity.

In “**Gian Singh v. State of Punjab and Anr.**”<sup>1</sup> the Apex Court held that depending upon the facts and circumstances of each case, the High Court can exercise its inherent power under

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<sup>1</sup> (2012) 10 SCC 303

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 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 principles laid down by the Supreme Court in the judgment referred supra, such permissions will not have any serious impact on the society rather than special enactments like Prevention of Corruption Act.

But here, the offences committed by the petitioners are under Section 498-A. As the matter is settled outside the Court, if the Trial is allowed to continue, supporting the case of prosecution is bleak and it would be a futile attempt to continue the proceedings. Permitting to compound such offences will have no impact on the society. Therefore, considering the facts and circumstances of the case and the terms of compromise, leave is granted to both the parties to enter into compromise by exercising power under Section 320(6) of Cr.P.C. Accordingly Crl.P.MP is allowed.

**Crl.P.NO.16522 OF 2016**

In view of the order passed by this Court in Crl.PMP Nos.18671 and 18672 of 2016 as to the terms of compromise, the proceedings in C.C.No.112 of 2012 pending on the file of the Women Police Station, Mahabubnagar District, are quashed.

In the result, the criminal petition is allowed.

Consequently, miscellaneous applications pending if any, shall also stand closed. No costs.

**JUSTICE M. SATYANARAYANA MURTHY**

Date:26.12.2016

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