

HONOURABLE SRI JUSTICE RAJA ELANGO

CRL.P.M.P.NOs.7641 & 7642 of 2016

&

CRIMINAL PETITION No.6510 of 2016

ORDER:

The present Criminal Petition is filed by the petitioners-A1 to A4 under Section 482 Cr.P.C. seeking to quash the proceedings against them in C.C.No.78 of 2015 on the file of the XV Additional Chief Metropolitan Magistrate, Hyderabad.

The petitioners are alleged to have committed the offence punishable under Sections 498-A, 506 IPC and Sections 4 and 6 of the Dowry Prohibition Act.

When this matter has been taken up for hearing, the petitioners-A-1 to A4 and the 2nd respondent-de facto-complainant, who appeared before this Court, filed the above Crl.P.M.Ps seeking permission to compound the above offence and seeking to record the compromise in the matter as they settled all the issues amicably due to intervention of elders. The 2nd respondent expressed her intention for not prosecuting the case further against the petitioners herein. The learned Counsel for the parties also submitted that the parties entered into compromise and therefore, the proceedings against the petitioners in the above case may be quashed. The 2nd respondent-de facto complainant has also filed an affidavit before this Court,

Though the offence alleged under the Dowry Prohibition Act is non-compoundable in nature, in view of the judgment of the Apex Court in

Gian Singh Vs. State of Panjab^[1] wherein it was held that where the dispute is predominantly civil in nature or in relation to matrimonial dispute, and if it is reported that the parties have amicably settled their dispute, the prosecution though launched for non-compoundable offence, the High Court in exercise of its powers under Section 482 Cr.P.C. can quash such prosecution.

Considering the above circumstances, this Court is of the view that it is fit case to quash the proceedings against the petitioners herein.

Hence, the compromise is recorded and the above Crl.M.Ps are ordered.

Accordingly, the Criminal Petition is allowed and the proceedings against the petitioners-A1 to A4 in C.C.No.78 of 2015 on the file of the XV Additional Chief Metropolitan Magistrate, Hyderabad, are hereby quashed. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 27.04.2016
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