

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.M.P.Nos.5688 & 5689 OF 2016

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CRIMINAL PETITION No.4966 OF 2016

ORDER:

The above Criminal Petition is filed by the petitioners-accused Nos.2 and 3 under Section 482 Cr.P.C., seeking to quash the proceedings against them in FIR No.529 of 2015 on the file of Karimnagar I Town Police Station, Karimnagar, registered for the offence punishable under Sections 406 and 420 IPC.

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

In view of the compromise arrived at between the parties, the continuation of the proceedings against the petitioners-accused Nos.2 and 3 would be the exercise in futility. 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.

Even though A1 is not before this Court, in view of the affidavit filed by the 2nd respondent stating that due to intervention of the elders, she does not want to prosecute the matter further, and in view of the compromise, this Court is of the view that it is just and proper to quash the entire proceedings in the above FIR. Hence, the above Crl.M.Ps are ordered and the entire proceedings in FIR No.529 of 2015 on the file of the Karimnagar I Town Police Station, Karimnagar, are quashed. The petitioners and A1 in the above FIR are directed to pay together a sum of Rs.5,000/- (Rupees Five Thousand only) towards costs to the Telangana State Legal Services Authority. The Registry is directed to issue a copy of this order to the parties concerned after furnishing a receipt of payment of costs.

Accordingly, the above Crl.M.Ps are ordered and the Criminal
Petition is allowed. Consequently, miscellaneous petitions pending, if any,
shall stand closed.

JUSTICE RAJA ELANGO

Date : 7.04.2016
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Dated 7th April, 2016.

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