

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.P.M.P.Nos.5639 & 5640 of 2016

IN/AND

Crl.P.No.4920 OF 2016

COMMON ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioner/A-5 seeking to quash the proceedings in C.C.No.482 of 2015 on the file of the VIII Additional Chief Metropolitan Magistrate, Hyderabad.

2. Heard and perused the material on record.

3. The offences alleged against the petitioner are punishable under Sections 387 and 506 read with 149 I.P.C. During the pendency of the petition, the petitioner/*de facto* complainant filed Crl.P.M.P.Nos.5639 and 5640 of 2016 to permit him to withdraw the complaint against the petitioner/A-5 and to compromise the matter by recording the compromise entered into between them. They also filed a joint memo for compromising the matter.

4. Both parties are present and they are identified by their respective counsel. In view of the compromise arrived at between the parties, the continuation of proceedings against the petitioner/A-5 would be an 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.

5. 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 petitioner herein.

6. Accordingly, Crl.P.M.P.Nos.5639 and 5640 of 2016 are ordered

and the Criminal Petition is allowed quashing the proceedings in C.C.No.482 of 2015 on the file of the VIII Additional Chief Metropolitan Magistrate, Hyderabad. However, the petitioner shall deposit a sum of Rs.3,000/- (Rupees three thousand only) to the Telangana State Legal Services Authority, Hyderabad towards costs.

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

8. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

11.4.2016
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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