

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CrI.P.M.P.No.3190 OF 2016

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CRIMINAL PETITION No.3010 OF 2016

ORDER:

The above Criminal Petition is filed by the petitioner-accused under Section 482 Cr.P.C., seeking to quash the proceedings against him in C.C.No.118 of 2015 on the file of the Judicial First Class Magistrate, Kothapeta, East Godavari District.

The petitioner is alleged to have committed the offences punishable under Sections 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act.

When this matter has been taken up, the petitioner and the 2nd respondent-de facto complainant, who appeared before this Court, submitted through their Counsel that due to intervention of elders, they entered into compromise and therefore, the proceedings in the above C.C. may be quashed. The 2nd respondent-de facto complainant 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 petitioner-accused 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 petitioner herein. Hence, the above CrI.M.P is ordered, and the proceedings against the petitioner-accused in C.C.No.118 of 2015 on the file of the Judicial First Class Magistrate, Kothapeta, East Godavari District, are quashed. The petitioner and the de facto complainant are directed to pay Rs.5,000/- (Rupees Five Thousand only) together towards costs to the Andhra Pradesh State Legal Services Authority. The Registry is directed to issue a copy of this order to the parties concerned after furnishing receipt of

payment of costs.

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

JUSTICE RAJA ELANGO

Date : 9.03.2016

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Dated 9th March, 2016.

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