

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.M.P.Nos.5829 and 5830 OF 2016

&

CRIMINAL PETITION No.5047 OF 2016

ORDER:

The above Criminal Petition is filed by the petitioners-accused Nos.1 to 3 under Section 482 Cr.P.C., seeking to quash the proceedings against them in CC No.690 of 2014 on the file of I-Additional Judicial Magistrate of First Class, Khammam, registered for the offences punishable under Sections 498-A IPC and 3 & 4 of the Dowry Prohibition Act.

The 2nd respondent – de facto complainant is the wife of the 1st petitioner. The allegations against the petitioners are that they harassed the de facto complainant mentally and physically demanding additional dowry.

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

In view of the compromise arrived at between the parties, continuation of proceedings against the petitioners-accused in the above crime, 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 petitioners herein in the above crime.

Accordingly, the Crl.M.Ps. are ordered and the Criminal Petition is allowed quashing the proceedings against the petitioners-Accused Nos.1 to 3 in CC No.690 of 2014 on the file of I-Additional Judicial Magistrate of First Class, Khammam. The petitioners are directed to pay Rs.5,000/- (Rupees Five Thousand only) towards costs to the Telangana State Legal Services Authority, Hyderabad.

Consequently, miscellaneous petitions pending if any, shall stand closed.

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

RAJA ELANGO, J

April 12, 2016.
KTL