

THE HON'BLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No.8356 of 2016

ORDER:

Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the 14th respondent - State and the learned counsel for the respondents 1 to 13 – de facto complainants.

This criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in Crime No.2 of 2016 of Mantralayam Police Station, Kurnool District, registered against the petitioners, who are A-1 to A-24, for the alleged offences punishable under Sections 143 and 506 IPC.

Today, when the matter came up for hearing, the learned counsel for the petitioners submitted that the parties have amicably settled the matter and filed CrI.M.P.No.9181 of 2016 in CrI.P.No.8356 of 2016 to permit them to compound the above offences and to quash the proceedings. The learned counsel submitted that in the present case some of the offences are non-compoundable and as the parties have settled the matter, sought this court, to record compromise and quash the proceedings. In support of this submission, the learned counsel relied on the judgment in **YOGENDRA YADAV V. STATE OF JHARKHAND**^[1], wherein the Apex Court held that “*However, in a given case, the High Court can quash a criminal proceeding in exercise of its*

power under Section 482 of the Code having regard to the fact that the parties have amicably settled their disputes and the victim has no objection, even though the offences are non-compoundable.”

Both the parties are present and submitted that they have amicably settled the matter and the respondents 1 to 13/ de facto complainants may be permitted to compound the above offence. The parties are identified by their counsel. The parties have signed in the joint memorandum of compromise and the same has been counter signed by their respective counsel. In view of these circumstances and the law laid down by Apex court in Yogendra Yadav's case (supra), the CrI.M.P.No.9181 of 2016 in CrI.P.No.8356 of 2016 are allowed and the joint memorandum of compromise is made part of this order.

The proceedings in Crime No.2 of 2016 of Mantralayam Police Station, Kurnool District, registered against the petitioners, who are A-1 to A-24, for the alleged offences punishable under Sections 143 and 506 IPC are hereby quashed and the criminal petition is allowed in terms of the compromise.

Miscellaneous petitions pending if any, shall stand closed.

M.S.K. JAISWAL, J

July 26, 2016
Pn

THE HON'BLE SRI JUSTICE M.S.K. JAISWAL

—

—

—

—

—

—

—

—

—

[\[1\]](#) 2015 (1) ALD (CrI.) 240 (SC)