

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

**Crl.P.MP.No.18793 of 2016
in/and
Crl.P.No.16652 of 2016**

ORDER:

Crl.P.No.16652 of 2016 is filed under Section 482 Cr.P.C., to quash the proceedings in S.C.No.26 of 2016 on the file of VII Additional District & Sessions Judge-cum-Special Court for trial of offences under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Ranga Reddy District, for the offence punishable under Section 3(1)(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Crl.P.MP.No.18793 of 2016 in Crl.P.No.16652 of 2016 is filed seeking permission of this Court to compound the offence punishable under Section 3(1)(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, on the ground that the parties have entered into compromise due to the intervention of elders.

3. The defacto-complainant and the petitioner-Accused appeared in person and they were also identified by their respective counsel. Both the parties voluntarily stated that they entered into compromise to settle the dispute.

4. In “**Gian Singh v. State of Punjab and Anr.**”¹ the Apex Court held that depending upon the facts and circumstances of each case, the High Court can exercise its inherent power under Section 482 Cr.P.C., however before exercising such power, High Court must have due regard to nature and gravity of crime and its social impact. It is further held that heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc., could not be fittingly quashed even though victim or victim’s family and offender have settled dispute. Such offences were not private in nature and have serious impact on society. Similarly any compromise between victim and offender in relation to offences under special statutes like Prevention of Corruption Act or offences committed by public servants while working in that capacity etc; could not provide for any basis for quashing criminal proceedings involving such offences.

5. By applying the principle laid down in the above judgment, since the settlement is in the interest of both the parties, both being the residents of the same apartment i.e., G.K. Nest Apartment, APHB Colony, Gachibowli, Hyderabad, I find that it is a fit case to permit the parties to compound the offence, and granting leave to compound the offence will have no societal impact.

¹ (2012) 10 SCC 303

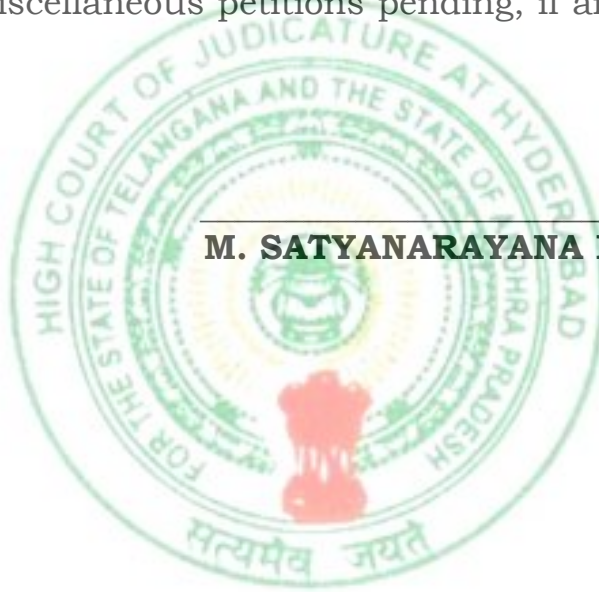
6. Accordingly, permission is accorded and Crl.P.MP.No.18793 of 2016 is allowed.

7. In view of the order passed in Crl.P.M.P.No.18793 of 2016, Crl.P.No.16652 of 2016 is allowed quashing the proceedings in S.C.No.26 of 2016 on the file of VII Additional District & Sessions Judge-cum-Special Court for trial of offences under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Ranga Reddy District.

8. The miscellaneous petitions pending, if any, shall stand closed.

M. SATYANARAYANA MURTHY, J

08.12.2016.
Msr



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