

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.M.P.Nos.7664 & 7665 OF 2016

&

CRIMINAL PETITION No.6528 OF 2016

ORDER:

The above Criminal Petition is filed by the petitioners-accused Nos.2, 4, 5, 6, 8 and 9 under Section 482 Cr.P.C., seeking to quash the proceedings against them in CC No.82 of 2015 on the file of Judicial Magistrate of First Class for Excise Cases, Erramanzil, Hyderabad.

The petitioners are alleged to have committed the offences punishable under Sections 147, 148, 448, 324 and 506 r/w.34 IPC.

When this matter has been taken up, the petitioners 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 case may be quashed. They filed the above M.Ps., to permit them to compromise the matter and also to record the compromise. The 2nd respondent-de facto complainant filed an affidavit to the effect that he has no objection to quash the proceedings in the above CC against the petitioners in view of the compromise. 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 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. Hence, the above Crl.M.Ps are ordered, and the proceedings against the petitioners-Accused Nos.2, 4, 5, 6, 8 and 9

in CC No.82 of 2015 on the file of Judicial Magistrate of First Class for Excise Cases, Erramanzil, Hyderabad, are hereby quashed.

Accordingly, the above Crl.M.Ps are ordered and the Criminal Petition is allowed. 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 27, 2016.

KTL