

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.M.P.Nos.2365 and 2366 of 2016

and

Criminal Petition No.2350 of 2016

ORDER:

The above Criminal Petition is filed under Section 482 Cr.P.C., seeking to quash proceedings initiated against by the petitioners/

A-1 to A-4 in C.C.No.1033 of 2015 on the file of XV Metropolitan Magistrate, Cyberabad at L.B.Nagar.

The petitioners are alleged to have committed the offences punishable under Sections 384, 341, 323 and 506 read with Section 34 IPC.

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 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 parties have filed a joint memo of compromise also. It is stated by the learned counsel for the petitioners that the petitioners are not habitual offenders and they are students studying their Engineering.

In view of the compromise arrived at between the parties, the continuation of proceedings against the petitioners-A-1 to A-4 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-A1 to A-4 in C.C.No.1033 of 2015 on the file of XV Metropolitan Magistrate, Cyberabad at L.B. Nagar, are quashed. The petitioners are directed to pay Rs.1,000/- (Rupees one Thousand only) towards costs and the 2nd respondent-de facto complainant is also directed to pay Rs.1,000/- (Rupees one Thousand only) towards costs, on or before 04-03-2016 to the Telangana State Legal Services Authority, Hyderabad. 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.Ps are ordered and the Criminal Petition is allowed. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 23-02-2016

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