

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

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CRL.P.NO.9974 OF 2015

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ORDER

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the 1st respondent - State and the learned counsel for the 2nd respondent.

2. This criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in C.C.No.364/2014 on the file of XIII Additional chief Metropolitan Magistrate, Nampally, Hyderabad, registered against the petitioner for the alleged offences punishable under Sections 498-A, 406 IPC and Sections 4 and 6 of Dowry Prohibition Act.

3. Today, when the matter came up for hearing, the learned counsel for the petitioner submitted that the parties have amicably settled the matter and both the parties filed CrI.M.P.No.8267/2016 in CrI.P.No.9974/2015 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.*”

4. The father of the petitioner as well as the father of 2nd petitioner are present and the General Power of Attorney of 2nd respondent is filed, permitting her father to represent on her behalf. They submitted that they have amicably settled the matter and the 2nd respondent / de facto complainant may be permitted to compound the above offence. Joint memorandum of compromise signed by both the parties and counter signed

by their counsel is filed. In view of these circumstances and the law laid down by Apex court in Yogendra Yadav's case (supra), the CrI.M.P.No.8267/2016 in CrI.P.No.9974/2015 is allowed and the joint memorandum of compromise, is made part of this order.

5. The proceedings in C.C.No.364/2014 on the file of XIII Additional chief Metropolitan Magistrate, Nampally, Hyderabad, are hereby quashed and the criminal petition is allowed in terms of the compromise. No costs.

6. Miscellaneous petitions pending if any, shall stand closed.

AVS

08—07—2016

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