

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

Crl.M.P.Nos.18594 & 18595 of 2016 and Crl.P.No.8336 of 2016
and
Crl.M.P.Nos.18592 & 18593 of 2016 and Crl.P.No.9415 of 2016

COMMON ORDER

Since both the criminal petitions are filed under Section 482 Cr.P.C., to quash the proceedings in Cr.No.95 of 2016 of Women Police Station, Begumpet, Hyderabad, registered for the offences under Sections 498-A, 420, 406, 506 read with Section 34 IPC and under Sections 3,4, and 6 of Dowry Prohibition Act, they are being taken up together for disposal by this common order.

2. In both the criminal petitions, the parties filed Crl.M.Ps. seeking to record compromise between them and quash the proceedings in the aforesaid case.

3. Today, when the matter came up for hearing, petitioner/A1 in Crl.P.No.9415 of 2016 was absent and he is represented by his father/A2, who filed a copy of authorization and petitioners/A2 to A4 in Crl.P.No.8336 of 2016 are present and are identified by their respective counsel. On enquiry, both the parties stated that at the intervention of elders, the parties have amicably settled their disputes concerning the present cases and hence requested to record compromise in the above case and quash the criminal proceedings against them.

4. In **Gian Singh v State of Punjab**¹, the apex Court observed as under:

¹ (2012) 10 SCC 303

“..... In this category of cases, High Court may quash criminal proceedings if in its view, because of the compromise between the offender and victim, the possibility of conviction is remote and bleak and continuation of criminal case would put accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceeding or continuation of the criminal proceeding would tantamount to abuse of process of law despite settlement and compromise between the victim and wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

5. In view of the compromise between the parties and by following the principles laid down in **Gian Singh’s** case, this Court is of the view that even if the proceedings are allowed to continue, the second respondent may not support the case of the prosecution and no purpose would be served in keeping the matter pending in view of the settlement arrived at between the parties.

6. Having regard to the facts and circumstances of the case and also the principle enunciated in the case cited supra, I am of the considered opinion that it is a fit case to quash the proceedings.

7. In the result, the CrI.M.Ps., are ordered. Consequently, both the Criminal Petitions are allowed and the proceedings in Cr.No.95 of 2016 on the file of Women Police Station, Begumpet, Hyderabad Police Station, are quashed against petitioners/A1 to A4. Miscellaneous petitions, if any, pending in these criminal petitions, shall stand closed.

M. SATYANARAYANA MURTHY, J

1st December, 2016
sj