

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.P.No.5729 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioners/A-1 to A-5 seeking to quash the proceedings in Crime No.36 of 2015 on the file of the XIII Additional Chief Metropolitan Magistrate, Hyderabad in view of the compromise entered into between both the parties.

2. Heard and perused the material on record.

3. The offences alleged against the petitioners are punishable under Section 498-A I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961. One Syed Sadiq Kabir, who is the maternal uncle of A-1 and brother-in-law of A-2, and respondent Nos.2 and 3/*de facto* complainant and victim filed affidavits to permit them to compound the offences and to compromise the matter by recording the compromise entered into between them. They also filed a copy of the Memorandum of Understanding executed between the parties.

4. Both parties are present and they are identified by their respective counsel. In view of the compromise arrived at between the parties, the continuation of proceedings against the petitioners/A-1 to A-5 would be an 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.

5. 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.

6. Accordingly, the Criminal Petition is allowed quashing the

proceedings in Crime No.36 of 2015 on the file of the XIII Additional Chief Metropolitan Magistrate, Hyderabad. However, the petitioners shall deposit a sum of Rs.3,000/- (Rupees three thousand only) to the Telangana State Legal Services Authority, Hyderabad towards costs.

7. The Registry is directed to issue a copy of this order to the parties concerned after furnishing receipt of payment of costs.

8. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

4.4.2016
AMD

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AMD