

THE HON'BLE SRI JUSTICE RAJA ELANGO

- **Crl.M.P.Nos.6932 and 6795 of 2016**

in

Crl.P.Nos.4243 of 2014 and 5825 of 2016

- **COMMON ORDER**

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The petitioners/A1 to A3 filed both these criminal petitions under Section 482 Cr.P.C., seeking to quash the proceedings in C.C.No.49 of 2013 on the file of First Additional Judicial First Class Magistrate at Khammam, registered for the offence punishable under Section 498-A IPC and under Sections 3 and 4 of Dowry Prohibition Act, against them.

2. The averments in the charge sheet would disclose that both the de complainant and A1 fell in love with each other and got married on 19.04.2010 at Rajarajeshwari temple, Vemulavada, without the consent of their parents. Some time after the marriage, A1 at the instigation of his parents A2 and A3 harassed her physically and mentally by demanding additional dowry. Hence, she filed a complaint against A1 to A3 and the same was registered as Cr.No.61 of 2012 under Section 498-A IPC and under Sections 3 and 4 of Dowry Prohibition Act.

3. Today, when the matter came up for hearing, the second respondent/de facto complainant and the petitioners/A1 to A3 are present and are identified by their respective counsel. They filed Crl.M.P.Nos.6932 and 6795 of 2016 seeking to compound the offences alleged against the accused and to quash the proceedings against them. They also produced the xerox copies of their Identity Cards. The second respondent stated that the matter

has been settled out of the Court and she does not want to prosecute the petitioners/A1 to A3 in the aforesaid crime. Thus, she prays to quash the proceedings against them.

4. In view of the compromise arrived at between the parties, continuation of criminal proceedings against the petitioners/A1 to A3 would be a futile exercise. But the offences alleged against the petitioners are non-compoundable. 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 involving non-compoundable offences. Therefore, it is just and proper to quash the criminal proceedings against the petitioners/A1 to A3.

5. Accordingly, the CrI.M.P.No.6932 of 2016 in CrI.P.No.4243 of 2014 and CrI.M.P.No.6795 of 2016 in CrI.P.No.5825 of 2016 are ordered and both the Criminal Petitions are allowed and the proceedings in C.C.No.49 of 2013 on the file of First Additional Judicial First Class Magistrate, Khammam, are quashed against the petitioners/A1 to A3. Miscellaneous petitions, if any, pending in these criminal petitions shall stand closed.

RAJA ELANGO, J

21st April, 2016

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