

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.M.P.Nos.8180 and 8181 of 2016

and

Crl.P.No.6981 of 2016

ORDER

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The petitioners/A1 to A3 filed this criminal petition under Section 482 Cr.P.C., seeking to quash the proceedings in C.C.No.23 of 2016 on the file of XVI Metropolitan Magistrate, Cyberabad, registered for the offences punishable under Sections 417, 419, 420, 468, 471 IPC and under Section 66 of (C&D) IT Act, against them.

2. The averments in the charge sheet would disclose that in response to the advertisement made by the accused on India Mart for sale of 'macaw' birds, the de facto complainant with intent to purchase those birds, transferred a sum of Rs.50,000/- to the Bank account provided by A1, A2 obtained the details of A3's Bank account and passed them to A1, but they were not delivered the birds to him within the stipulated period, thereby cheated him.

3. Today, when the matter came up for hearing, the first 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.8180 and 8181 of 2016 seeking to compound the offences alleged and to quash the proceedings against the

petitioners/A1 to A3. The first respondent stated that as the matter has been settled out of the Court, he does not want to prosecute the petitioners/A1 to A3 in the aforesaid crime. Thus, he 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. Therefore, it is just and proper to quash the criminal proceedings against the petitioners/A1 to A3.

5. Accordingly, the Crl.M.P.Nos.8180 and 8181 of 2016 are ordered. Consequently, the Criminal Petition is allowed and the proceedings in C.C.No.23 of 2016 on the file of XVI Metropolitan Magistrate, Cyberabad, are quashed against the petitioners/A1 to A3. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

RAJA ELANGO, J

29th April, 2016

sj