

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.M.P.No.3973 OF 2016

&

CRIMINAL PETITION No.3294 OF 2016

ORDER:

The above Criminal Petition is filed by the petitioners-accused Nos.1 to 4 under Section 482 Cr.P.C., seeking to quash the proceedings against them in Crime No.577 of 2015 on the file of Neredmet Police Station, Cyberabad.

The 2nd respondent is the wife of the 1st petitioner. The petitioners are alleged to have committed the offence punishable under Section 420 IPC. It is alleged that the 1st petitioner took signatures of the 2nd respondent on blank 100 rupees bond paper and applied for divorce and gave her a demand draft for Rs.4,50,000/- towards permanent alimony, saying that her father gave that amount to purchase a plot.

When this matter is taken up for hearing, the petitioners and the 2nd respondent-de facto complainant, who appeared before this Court, submitted through their Counsel that due to intervention of the elders, they entered into compromise and therefore, the proceedings in the above case may be quashed. The 2nd respondent - de facto complainant filed an affidavit to that effect. Both the parties filed a joint memo of compromise also.

When this Court enquired the 2nd respondent – de facto complainant, she informed that she is not interested in prosecuting the case against the petitioners - accused.

In view of the compromise arrived at between the parties, continuation of proceedings against the petitioners-accused Nos.1 to 4 in the above crime would be the 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.

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 in the above crime.

Accordingly, the Crl.M.P. is ordered and the Criminal Petition is allowed quashing the proceedings against the petitioners-Accused Nos.1 to 4 on the file of Neredmet Police Station, Cyberabad. The petitioners are directed to pay Rs.2,500/- (Rupees Two Thousand and five hundred only) towards costs to the Telangana State Legal Services Authority, Hyderabad.

Consequently, miscellaneous petitions pending if any, shall stand closed.

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

RAJA ELANGO, J

March 21, 2016.
KTL