

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRL.P.M.P.No.16926 of 2016 in/and CRL.P.No.14940 of 2016

AND

CRL.P.M.P.No.17160 of 2016 in/and CRL.P.No.15165 of 2016

COMMON ORDER :

Crl.P.M.P.No.16926 of 2016 is filed under Section 320 of Criminal Procedure Code (for short, 'Cr.P.C.') seeking permission to compound the offences punishable under Sections 341, 379, 384, 406, 420, 448 and 506 read with Section 34 IPC in Crime No.90 of 2016 of Uppal Police Station.

Crl.P.M.P.No.17160 of 2016 is filed under Section 320 of Cr.P.C. seeking permission to compound the offences punishable under Sections 354, 498-A, 506, 406, 420 and 509 read with Section 34 IPC and Section 3 and 4 of the Dowry Prohibition Act, 1961, in C.C.No.7 of 2016 on the file of the XIV Metropolitan Magistrate, L.B.Nagar, Cyberabad.

Both the parties are present in person and they are identified by their respective counsel and they unanimously stated that they entered into compromise as they belong to the same village.

In "*Gian Singh v. State of Punjab and Anr.*"¹ the Apex Court held that depending upon the facts and circumstances of each case, the High Court can exercise its inherent power under Section 482 Cr.P.C., however before exercising such power, High Court must have due regard to nature and gravity of crime and its social impact. It is further held that heinous and serious offences of mental depravity or offences

¹ (2012) 10 SCC 303

like murder, rape, dacoity, etc., could not be fittingly quashed even though victim or victim's family and offender have settled dispute. Such offences were not private in nature and have serious impact on society. Similarly any compromise between victim and offender in relation to offences under special statutes like Prevention of Corruption Act or offences committed by public servants while working in that capacity etc; could not provide for any basis for quashing criminal proceedings involving such offences.

By applying the principle laid down in the above judgment, since the settlement is in the interest of both parties and to maintain peace in the village, I find that it is a fit case to permit the petitioners to compound the offences.

Accordingly, permission is accorded in both the petitions as sought for.

Crl.P.No.14940 of 2016:

In view of the order passed in Crl.P.M.P.No.16926 of 2016, this petition is allowed. No costs.

Crl.P.No.15165 of 2016:

In view of the order passed in Crl.P.M.P.No.17160 of 2016, this petition is allowed. No costs.

The miscellaneous petitions pending in these two criminal petitions, if any, shall also stand closed.

M. SATYANARAYANA MURTHY, J

26th October 2016
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