

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION M.P. No.13536 of 2016

IN/ AND

CRIMINAL PETITION No.5169 OF 2013

ORDER:

Criminal Petition No.5269 of 2013 is filed by the petitioner-accused No.6 under Section 482 Cr.P.C. seeking to quash the proceedings against her in CC No.611 of 2012 on the file of the IV Additional District Munsif Magistrate, Tirupathi.

Heard and perused the material available on record.

A perusal of the material on record discloses that the 2nd respondent - de facto complainant lodged a complaint against the petitioner and others and after investigation, charge sheet was filed for the offences under Sections 494, 498, 406 and 420 r/w.109 IPC. Subsequently, the case was split up against the petitioner since she is in USA and numbered as CC No.611 of 2012 and against the other accused as CC No.289 of 2011. The petitioner filed the present criminal petition to quash the proceedings against her.

When the matter is taken up, learned counsel for the petitioner and the learned counsel for the 2nd respondent submitted that during pendency of the case against the other accused, the 2nd respondent and the other accused settled the issue and entered into a compromise before the Lok Adalat and an Award was also passed on 11.06.2016, and now the 2nd respondent and the petitioner also entered into a compromise and the 2nd respondent filed CrI.P.M.P. No.13536 of 2016 seeking to record the compromise, and therefore, he requested to record the compromise and quash the proceedings against the petitioner herein.

The power of attorney holder of the petitioner and the 2nd respondent are present before this Court and they are identified by their respective counsel. The 2nd respondent filed an affidavit also wherein it was stated that he is intending to withdraw the criminal case against the petitioner in view of the compromise arrived at between them. Both the parties have filed a joint memo also.

After hearing the arguments of the learned counsel for the petitioner and after perusing the material available on record and also in view of the compromise arrived at between the parties, this Court is inclined to pass the following order:

The Criminal Petition is allowed and the proceedings against the petitioner – A6 in CC No.611 of 2012 before the IV Additional District Munsif Magistrate, Tirupathi, Chittoor District, are hereby quashed. Consequently, miscellaneous petitions pending, if any, shall stand closed.

August 23, 2016.
KTL

RAJA ELANGO, J