

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.M.P.Nos.3376 & 3377 OF 2016

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Criminal Petition No.3146 of 2016

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ORDER:

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The above Criminal Petition is filed by the petitioners-A-1 to A-10 under Section 482 Cr.P.C., seeking to quash the proceedings against them in C.C.No.167 of 2016 on the file of the Judicial Magistrate of First Class, Mahabubnagar.

The petitioners are alleged to have committed the offences punishable under Sections 498 A, 406 and 506 and Sections 3, 4, and 5 of Dowry Prohibition Act.

When this matter has taken up for hearing, the petitioners and the respondents 1 and 2, who appeared before this Court, submitted through their Counsel that due to intervention of elders, they entered into compromise and therefore, the proceedings in the above C.C. may be quashed. The respondents 1 and 2 filed an affidavit to that effect. Both the parties filed a joint memo of compromise also. It is submitted that the petitioners have filed an application before the Court below seeking for compounding the above offences, but the Court below dismissed the same by observing that the offences are non-compoundable.

In view of the compromise arrived at between the parties, the continuation of the proceedings against the petitioners-A-1 to A-10 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 herein. Hence, the above Crl.M.Ps are ordered, and the proceedings against the petitioners-A1 to A10 in C.C.No.167 of 2016 on the file of the Judicial Magistrate of First Class, Mahabubnagar, are quashed. The petitioners/accused are directed to pay Rs.3,000/- (Rupees Three Thousand only) towards costs and the respondents 1 and 2 are also directed to pay Rs.3,000/- (Rupees Three Thousand only) towards costs, on or before 28.03.2016 to the Telangana State Legal Services Authority, Hyderabad. The Registry is directed to issue a copy of this order to the parties concerned after furnishing receipt of payment of costs.

Accordingly, the above Crl.M.Ps are ordered and the Criminal Petition is allowed. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 14.03.2016

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