

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.P.M.P.No.6608 of 2016

and

Crl.P.No.5672 of 2016

ORDER

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The petitioners/A1 to A6 filed this criminal petition under Section 482 Cr.P.C., seeking to quash the proceedings in Cr.No.649 of 2015 of Women Police Station, D.D., Hyderabad, registered for the offences punishable under Sections 498-A and 406 IPC and under Sections 4 and 6 of Dowry Prohibition Act, against them.

2. The averments in the charge sheet would disclose that the marriage of de complainant with A1 was performed on 10.05.2015 as per Sunni Islamic Customs and Traditions. At the time of marriage, her parents gave dowry as demanded by the accused apart from gold, silver and other household articles worth Rs.5 lakhs. After few days of their marriage, all the accused used to harass the de facto complainant physically and mentally by demanding additional dowry of Rs.50,000/- and also threaten her with dire consequences. Hence, she filed a complaint against A1 to A6 and the same was registered as Cr.No.649 of 2015 under Sections 498-A, 406 IPC and under Sections 4 and 6 of Dowry Prohibition Act.

3. Today, when the matter came up for hearing, the second respondent/de facto complainant and the petitioners/A1 to A6 are present and are identified by their respective counsel. They filed a

petition seeking to compound the offences alleged against the accused and to quash the proceedings against them. They also produced the xerox copies of their Identity Cards. The second respondent stated that the matter has been settled out of the Court and she does not want to prosecute the petitioners/A1 to A6 in the aforesaid crime. Thus, she 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 A6 would be a futile exercise. But the offences alleged against the petitioners are non-compoundable. 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 involving non-compoundable offences. Therefore, it is just and proper to quash the criminal proceedings against the petitioners/A1 to A6.

5. Accordingly, the CrI.P.M.P. is ordered and the Criminal Petition is allowed and the proceedings in Cr.No.649 of 2015 of Women Police Station, D.D., Hyderabad, are quashed against the petitioners/A1 to A6. The petitioners/A1 to A6 are directed to deposit a sum of Rs.3,000/- towards costs to the Telangana State Legal Services Authority, Hyderabad and to produce the receipt before the Registry and on filing such receipt, Office to issue a copy of the order to the parties. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

RAJA ELANGO, J

1st April, 2016
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