

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.P.M.P.Nos.6238 & 7415 of 2016

IN/AND

Crl.P.No.5395 OF 2016

COMMON ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioner/A-2 seeking to quash the proceedings in S.C.No.91 of 2013 on the file of the Additional Metropolitan Sessions Judge - cum - VI Additional District Judge at Vikarabad, Ranga Reddy District.

2. Heard and perused the material on record.

3. The offences alleged against the petitioner are punishable under Sections 363 and 376 read with 109 I.P.C.

4. During pendency of the petition, the *de facto* complainant filed Crl.P.M.P.No.6238 of 2016 to permit her to compound the offences and to compromise the matter by recording the compromise entered into between herself and A-2. She also filed a joint memo for compromising the matter.

5. A-1 filed Crl.M.P.No.7415 of 2016 to implead him as petitioner No.2 herein and the same is allowed.

6. Respondent No.2 filed an affidavit stating that during pendency of the above criminal case, due to intervention of elders and well wishers, herself and the petitioners came to an amicable settlement and in view of the said settlement, she is no more interested to

prosecute the case. It is further stated that herself and the petitioners entered into compromise and agreed to settle the disputes by withdrawing the complaint in F.I.R.No.53 of 2012.

7. Both parties are present and they are identified by their respective counsel. In view of the compromise arrived at between the parties, the continuation of proceedings against the petitioners/A-2 and A-1 would be an 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.

8. 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.

9. Accordingly, Crl.P.M.P.Nos.6238 and 7415 of 2016 are allowed and the Criminal Petition is allowed quashing the proceedings in S.C.No.91 of 2013 on the file of the Additional Metropolitan Sessions Judge - cum - VI Additional District Judge at Vikarabad, Ranga Reddy District against the petitioners/A-2 and A-1.

10. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

29.4.2016
AMD

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