

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.M.P.Nos.1860 & 1861 OF 2016

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CRIMINAL PETITION No.1935 OF 2016

ORDER:

The above Criminal Petition is filed by the petitioners-accused Nos.1 & 2 under Section 482 Cr.P.C., seeking to quash the proceedings against them in C.C.No.883 of 2008 on the file of the VII Metropolitan Magistrate, Cyberabad.

The petitioners are alleged to have committed the offences punishable under Sections 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act.

When this matter has been taken up, the petitioners and the 2nd respondent-de facto complainant, 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 2nd respondent-de facto complainant filed an affidavit to that effect. Both the parties filed a joint memo of compromise also. The learned Counsel for the petitioners while producing Xerox copies of two cheques stated that the said two cheques bearing Nos.503905 and 503906 for Rs.20,00,000/-each drawn on ICICI Bank on 4.2.2016 were issued in favour of the 2nd respondent-de facto complainant towards settlement.

In view of the compromise arrived at between the parties, the continuation of the proceedings against the petitioners-accused Nos.1 & 2 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 & A2 in C.C.No.883 of 2008 on the file of the VII Metropolitan Magistrate, Cyberabad, are quashed. The petitioners

are directed to pay Rs.5,000/- (Rupees Five Thousand only) towards costs and the 2nd respondent-de facto complainant is also directed to pay Rs.5,000/- (Rupees Five Thousand only) towards costs, on or before 19.2.2016 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.

JUSTICE RAJA ELANGO

Date : 17.02.2016

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Dated 17th February, 2016.

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