

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4745 OF 2016

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ORDER:

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The above Criminal Petition is filed by the petitioners-accused under Section 482 Cr.P.C., seeking to quash the proceedings against them in CC No.2195 of 2014 on the file of XIX Metropolitan Magistrate, Cyberabad, Kukatpally at Miyapur.

The 2nd respondent – de facto complainant is the wife of the 1st petitioner. The offences alleged against the petitioners are punishable under Sections 498-A and 506 IPC and 3 & 4 of the Dowry Prohibition Act.

When this matter is taken up for hearing, the petitioners and the 2nd respondent-de facto complainant, who appeared before this Court, submitted through their Counsel that due to intervention of the elders, they entered into compromise and therefore, the proceedings in the above CC may be quashed. The 2nd respondent - de facto complainant filed an affidavit to that effect.

When this Court enquired the 2nd respondent – de facto complainant, she informed that she is not interested in prosecuting the case against all the accused, since they have entered into a compromise.

In view of the compromise arrived at between the parties, continuation of proceedings against the petitioners-accused in the above CC 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 in the CC.

Accordingly, the Criminal Petition is allowed quashing the proceedings against the petitioners-Accused in CC No.2195 of 2015 on the file of the XIX Metropolitan Magistrate, Cyberabad, Kukatpally at Miyapur. The petitioners are directed to pay Rs.5,000/- (Rupees Five Thousand only) towards costs to the Telangana State Legal Services Authority, Hyderabad.

Consequently, miscellaneous petitions pending if any, shall stand closed.

The Registry is directed to issue a copy of this order to the parties concerned, after furnishing receipt of payment of costs.

RAJA ELANGO, J

April 06, 2016.
KTL