

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.P.M.P.No.7905 of 2016

and

Crl.P.No.6754 of 2016

ORDER

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The petitioners/A2,A3 & A5 filed this criminal petition under Section 482 Cr.P.C., seeking to quash the proceedings in C.C.No.252 of 2015 on the file of XV Additional Chief Metropolitan Magistrate, Hyderabad, registered for the offences punishable under Sections 498-A, 406, 506 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 16.12.2011 as per Hindu rites and customs. At the time of marriage, her parents gave 26 tulas of gold, 1 Kg silver, other household articles worth Rs.3 lakhs and cash of Rs.6 lakhs towards dowry to the accused. 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.5,00,000/- and also threaten her with dire consequences. Hence, she filed a complaint against A1 to A5 and the same was registered as Cr.No.174 of 2014 under Sections 498-A, 406, 506 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/A2,A3 & A5 are present and are identified by their respective counsel. They filed a petition seeking to compound the offences alleged against them 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/ A2,A3 & A5 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/ A2, A3 & A5 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/ A2,A3 & A5.

5. Accordingly, the CrI.M.P.No.7905 of 2016 is ordered and the Criminal Petition is allowed and the proceedings in C.C.No.252 of 2015 on the file of XV Additional Chief Metropolitan Magistrate, Hyderabad,

are quashed against the petitioners/A2,A3 & A5.
Miscellaneous petitions, if any, pending in this
criminal petition shall stand closed.

RAJA ELANGO, J

28th April, 2016
sj