

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.M.P.No.5883 of 2016 & Criminal Petition No.12590 of 2014

ORDER:

The above Criminal Petition is filed by the petitioners-accused Nos.1 to 6 under Section 482 Cr.P.C., seeking to quash the proceedings against them in P.R.C.No.9 of 2014 on the file of the II Additional Judicial Magistrate of First Class, Madanapalle.

The petitioners are alleged to have committed the offences punishable under Sections 498-A, 307 IPC read with Section 34 of IPC.

When this matter has been taken up, the petitioners and the second 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 PRC may be quashed. The second respondent-de facto complainant filed an affidavit to that effect. Both the parties filed a joint memo of compromise also.

In view of the compromise arrived at between the parties, continuation of proceedings against the petitioners-accused Nos.1 to 6 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 Crl.M.P.No.5883 of 2016

is ordered, and the proceedings against the petitioners-accused 1 to 6 in P.R.C.No.9 of 2014 on the file of II Additional Judicial Magistrate of First Class, Madanapalle, Chittoor are quashed. The petitioners are directed to pay Rs.5,000/- (Rupees Five Thousand only) towards costs and the second respondent-de facto complainant is also directed to pay Rs.5,000/- (Rupees Five Thousand only) towards costs, on or before 27-04-2016 to the Andhra Pradesh 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 CrI.M.P is ordered and the Criminal Petition is allowed and the proceedings in P.R.C.No.9 of 2014 initiated against the petitioners/accused pending on the file of II Additional Judicial Magistrate of First Class, Madanapalle are quashed. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 11-04-2016

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