

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRL.P.M.P.NO.4533 of 2016

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Criminal Petition No.13896 of 2015

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ORDER:

The present Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in Crime No.183 of 2015 of Women Police Station, Saroornagar pending on the file of XIV Metropolitan Magistrate, Cyberabad at L.B. Nagar, registered for the offences punishable under Sections 498-A, 354-D, and Sections 4 and 6 of Dowry Prohibition Act.

When the matter is taken up for hearing, the petitioners/A-2 to A-5 and the 2nd respondent-complainant, who appeared before this Court, filed Crl.P.M.P.No.4533 of 2016 under Section 320 (4) Cr.P.C. seeking to compound the alleged offences, as they settled all the issues amicably with the intervention of well wishers and the 2nd respondent expressed her intention for not prosecuting the case further against the petitioners herein and the learned counsel for the parties also submitted that they entered into compromise and therefore, the proceedings in the above crime may be quashed. The 2nd respondent-complainant has also filed an affidavit before this Court and both the parties filed a joint memo. The 2nd respondent-de facto complainant further stated that she intends to file divorce petition by mutual consent.

Though the offence alleged under the Dowry Prohibition Act is non-compoundable in nature, in view of the judgment of the Apex Court in **Gian Singh Vs. State of Panjab**^[1], wherein it was held that where the dispute is predominantly civil in nature or in relation

to matrimonial dispute, and if it is reported that the parties have amicably settled their dispute, the prosecution though launched for non-compoundable offence, the High Court in exercise of its powers under Section 482 Cr.P.C. can quash such prosecution.

Considering the above circumstances, this Court feels that it is fit case to quash the proceedings against the petitioners herein. Hence, the compromise is recorded and the above Crl.M.P. is ordered.

Accordingly, the Criminal Petition is allowed and the proceedings initiated against the petitioners/A-2 to A-5 in Crime No.183 of 2015 of Women Police Station, Saroornagar pending on the file of XIV Metropolitan Magistrate, Cyberabad at L.B. Nagar are hereby quashed. The petitioners are directed to pay Rs.2,500/- (Rupees Two thousand and five hundred only) towards costs and the 2nd respondent-de facto complainant is also directed to pay Rs.2,500/- (Rupees Two Thousand and five hundred only) towards costs on or before 18-04-2016 to the Telangana State Legal Services Authority, Hyderabad. The Registry is directed to issue a copy of this order to the parties concerned on furnishing receipt of payment of costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 23-03-2016
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[\[1\]](#) 2012 AIR SCW 5333