

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.M.P.Nos.3356 and 3357 OF 2016

&

CRIMINAL PETITION No.3130 OF 2016

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ORDER:

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The above Criminal Petition is filed by the petitioners-accused Nos.1 and 2 under Section 482 Cr.P.C., seeking to quash the proceedings against them in SC No.148 of 2016 on the file of I-Special Sessions Judge for the trial of Cases relating to the Atrocities against Women, L.B.Nagar.

The petitioners are alleged to have committed the offence punishable under Section 354 IPC. The allegation against the petitioners is that the 1st petitioner tried to outrage the modesty of the de facto complainant and the 2nd petitioner encouraged him.

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 SC may be quashed. The petitioners filed the above applications to record the compromise and to permit them to compound the offences. The 2nd 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 and 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 in the above SC.

Accordingly, the Crl.M.Ps. are ordered and the Criminal Petition is allowed quashing the proceedings against the petitioners-Accused Nos.1 and 2 and also the other accused in SC No.148 of 2016 on the file of

I-Special Sessions Judge Court for the trial of Cases relating to the atrocities against Women, L.B. Nagar. The petitioners are directed to pay Rs.3,000/- (Rupees Three 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 01, 2016.
KTL