

HONOURABLE SRI JUSTICE RAJA ELANGO

CRL.P.M.P.NOs.4535 & 4536 of 2016

&

CRIMINAL PETITION No.3760 of 2016

ORDER:

The present Criminal Petition is filed by the petitioner-A1 under Section 482 Cr.P.C. seeking to quash the proceedings against him in C.C.No.10 of 2016 on the file of the XIV Metropolitan Magistrate, Cyberabad, L.B. Nagar.

The petitioner is alleged to have committed the offences punishable under Sections 498-A, 354-D IPC and Sections 4 and 6 of Dowry Prohibition Act.

When this matter has been taken up for hearing, the petitioner-A-1 and the 2nd respondent-de facto-complainant, who appeared before this Court, filed the above CrI.P.M.Ps seeking to compound the alleged offences, as they settled all the issues amicably due to intervention of elders and the 2nd respondent expressed her intention for not prosecuting the case further against the petitioner herein. The learned Counsel for the parties also submitted that the parties entered into compromise and therefore, the proceedings against the petitioner in the above C.C. may be quashed. The 2nd respondent-de facto complainant has also filed an affidavit before this Court, Both the parties filed a joint memo also. 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 is of the view that it is fit case to quash the proceedings against the petitioner herein. Hence, the compromise is recorded and the above Crl.M.Ps. are ordered.

Accordingly, the Criminal Petition is allowed and the proceedings against the petitioner-A1 in C.C.No.10 of 2016 on the file of the XIV Metropolitan Magistrate, Cyberabad at L.B. Nagar are hereby quashed. The petitioner and the 2nd respondent are directed to pay Rs.2,500/- (Rupees Two thousand and five hundred only) each towards costs 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 a receipt of payment of costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 31.03.2016

Nn

HONOURABLE SRI JUSTICE RAJA ELANGO

-
-
-
-
-
-
-
-
-
-
-
-
-
-
-

CRL.P.M.P.NOs.4535 & 4536 of 2016
&
CRIMINAL PETITION No.3760 of 2016

-
-
-
-
-
-
-
-

31.3.2016

Nn.

[\[1\]](#) 2012 AIR SCW 5333