

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.P.M.P.Nos.6252 and 6253 of 2016

and

Crl.P.No.5408 of 2016

ORDER

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The petitioners/A1 to A5 filed this criminal petition under Section 482 Cr.P.C., seeking to quash the proceedings in C.C.No.5 of 2015 on the file of Metropolitan Sessions Judge at Nampally, Hyderabad, registered for the offences punishable under Sections 147, 148, 326, 324, 506 r/w 149 IPC, against them.

2. The averments in the charge sheet would disclose that on 28.12.2012 at 6.00 AM., when the father of the de facto complainant left home for his morning walk, A1 and his brothers, who gathered at parking place, were scolding the persons who broken their motor pump, and when his father told them not to use filthy language, A1 to A5 abused him in filthy language and after hearing, the de facto complainant came down to the parking place and requested them not to use unparliamentary language, on which A1 to A5 surrounded him and his father, kicked the de facto complainant on his chest and twisted his left arm and they also pierced with cutting plier and screw driver, thereby both of them sustained simple injuries. Based on the complaint, a case in Cr.No.303 of 2012 u/s.324, 506 r/w.34 IPC was registered against A1 to A5.

3. Today, when the matter came up for hearing, the second respondent/de facto complainant and the petitioners/A1 to A5 are

present and are identified by their respective counsel. They filed CrI.M.P.Nos.6252 and 6253 of 2016 seeking to compound the offences alleged against the accused 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 he does not want to prosecute the petitioners/A1 to A5 in the aforesaid crime. Thus, he 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/A1 to A5 would be a futile exercise. Therefore, it is just and proper to quash the criminal proceedings against the petitioners/A1 to A5.

5. Accordingly, the CrI.P.M.P.Nos.6252 and 6253 of 2016 are ordered and the Criminal Petition is allowed and the proceedings in C.C.No.5 of 2015 on the file of Metropolitan Sessions Judge at Namapally, Hyderabad, are quashed against the petitioners/A1 to A5. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

RAJA ELANGO, J

19th April, 2016
sj