

THE HONOURABLE SRI JUSTICE RAJA ELANGO

W.P.M.P.No.52818 OF 2016
&
WRIT PETITION No.42838 OF 2016

ORDER:

1. The above Writ Petition is filed by the petitioners under Article 226 of the Constitution of India, seeking to quash the proceedings against them in Crime No.609 of 2016 on the file of the 3rd respondent, in view of the compromise between the parties.

2. The above crime was registered for the offence under Sections 366 and 506 r/w 34 IPC. When this matter is taken up, the petitioners and the 5th respondent-complainant, who appeared before this Court, submitted through their respective Counsel that they entered into compromise on the intervention of elders and therefore, the proceedings in the above Crime may be quashed. The 5th respondent-complainant filed an affidavit stating that on the intervention of elders, the issue was settled and therefore, she does not intend to proceed further against the petitioners. The petitioners and the 5th respondent filed the above WPMP seeking to quash the proceedings in the above crime.

3. In view the compromise between the parties, this Court is of the view that the continuation of the proceedings against the petitioners-accused would be the exercise in futility. In a case of this nature, the technicalities should not be allowed to stand in the way of Courts' power to quash the criminal proceedings. Hence, the above WPMP is ordered.

4. Considering the above circumstances, this Court feels that it is just and proper to quash the proceedings against the petitioners herein.

5. Accordingly, the Writ Petition is allowed quashing the proceedings against the petitioners herein in Crime No.609 of 2016 on the file of the 3rd respondent. The Superintendent, Charlapalli Central jail, Ranga Reddy District, is directed to release the 1st petitioner-Shanu Shahi, who was remanded in connection with the above crime number, forthwith, if he is not required in any other crime. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 8.12.2016

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Dated 8th December, 2016.

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