

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.723 AND 724 OF 2017

IN/AND

CRIMINAL PETITION No.769 OF 2017

COMMON ORDR:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Code'), is filed by the petitioners - accused Nos.1 to 3 seeking to quash the proceedings against them in Calendar Case No.79 of 2016 on the file of the Special Judicial Magistrate of First Class (Excise) at Karimnagar, registered for the offences punishable under Sections 420, 406 and 506 read with 34 IPC against accused Nos.1 and 2 and Section 384 IPC against accused No.3.

2. Criminal Petition M.P. No.723 of 2017 is filed by the *de facto* complainant, who is respondent No.1 in the main criminal petition, along with his affidavit duly signed and a joint memo signed by both the parties, requesting to permit him to compound the case in the aforesaid Calendar Case.

3. Criminal Petition M.P. No.724 of 2017 is filed by the petitioners, requesting to permit them to compromise the case in the aforesaid Calendar Case.

4. One Syed Ahmed S/o Syed Abdul Raheem, the father and GPA Holder of *de facto* complainant, who is respondent No.1 in the main petition, is present and filed the General Power of Attorney. The

petitioners - accused Nos.1 to 3 are also present. The parties are identified by their respective learned counsel, Sri M. Ram Mohan Reddy and Sri Giri Krishna Reddy, who are also present. The parties have also produced photostat copies of their respective “Aadhaar Cards” in proof of their identity.

5. Perused the affidavit and the joint memo signed by both the parties stating that they have settled the matter outside the Court and the relevant deeds said to have executed have been mentioned in paragraph No.3 and, finally, request to quash the proceedings in the aforesaid Calendar Case by recording a compromise.

6. Since the father of *de facto* complainant and the petitioners - accused Nos.1 to 3 have affirmed the contents of joint memo, the compromise is recorded as it is a family dispute and falls within the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹.

7. Therefore, Criminal Petition M.P. Nos.723 and 724 of 2017 are allowed and, consequently, the present Criminal Petition is allowed quashing the proceedings against the petitioners - Accused Nos.1 to 3 in Calendar Case No.79 of 2016 on the file of the Special Judicial Magistrate of First Class (Excise) at Karimnagar. The joint memo shall form part of the record.

¹. (2012) 10 SCC 303

As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition stand closed.

A. SHANKAR NARAYANA, J

February 15, 2017.
Mgr

