

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. No.3611 OF 2017

IN/AND

CRIMINAL PETITION No.17077 OF 2016

AND

CRIMINAL PETITION M.P. No.3592 OF 2017

IN/AND

CRIMINAL PETITION No.3554 OF 2017

COMMON ORDER:

Criminal Petition No.17077 of 2016 is filed by the petitioners 1 to 3 - accused Nos.1 to 3, under Section 482 of the Criminal Procedure Code, 1908 (for short, 'the Code'), seeking to quash the proceedings in Calendar Case No.284 of 2011 on the file of II-Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, for the offences punishable under Sections 380, 427 & 506 of IPC read with Section 34 of IPC; whereas Criminal Petition No.3554 of 2017 is filed by the petitioners 1 to 3 - accused Nos.1 to 3 under Section 482 of the Code, seeking to quash the proceedings in Sessions Case No.46 of 2016 on the file of VI-Additional Metropolitan Sessions Judge, Secunderabad, for the offences punishable under Sections 3 & 4 of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Ac, 1989 and Sections 324 & 506 of IPC read with Section 34 of IPC.

2. Criminal Petition M.P. No.3611 of 2017 in Criminal Petition No.17077 of 2016 is filed by the 2nd respondent/de facto complainant, Mr. Amit Sanghi and Criminal Petition M.P.No.3592 of 2017 in Criminal Petition No.3554 of 2017 is filed by the 2nd respondent/de

facto complainant, Mr. Sangati Prasad, respectively along with their affidavits, Joint Memos signed and affirmed by both the parties and their respective counsel, requesting to permit the parties to compromise the matter and to compound the offences, and consequently to quash the proceedings against the accused Nos.1 to 3 in Calendar Case No.284 of 2011 on the file of II-Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, and the accused Nos.1 to 3 in Sessions Case No.46 of 2016 on the file of VI-Additional Metropolitan Sessions Judge, Secunderabad, respectively, stating that with the intervention of the elders, they settled the matter between them, outside the Court, in terms of the compromise.

3. The 2nd respondent/de facto complainant, Mr. Amit Sanghi, in Criminal Petition No.17077 of 2016, the 2nd respondent/de facto complainant, Mr. Sangati Prasad in Criminal Petition No.3554 of 2017, accused Nos.1 to 3 in Criminal Petition No.17077 of 2016 and accused Nos.1 to 3 in Criminal Petition No.3554 of 2017, as well as their counsel are present and the parties are identified by their respective counsel, Sri M. Diwakar and Sri V. Sai Kumar. The parties have produced photostat copies of their respective “Aadhaar Cards” in proof of their identity and also attested on the case bundle.

4. On being asked, the 2nd respondent/de facto complainant, Mr. Amit Sanghi, in Criminal Petition No.17077 of 2016, the 2nd respondent/de facto complainant, Mr. Sangati Prasad, in Criminal

Petition No.3554 of 2017, accused Nos.1 to 3 in Criminal Petition No.17077 of 2016 and accused Nos.1 to 3 in Criminal Petition No.3554 of 2017, report that they have compromised the matter through the intervention of the elders and to that effect they have also filed Joint Memos entered into by them and request the Court to record the compromise compounding the offences against the accused Nos.1 to 3 in Calendar Case No.284 of 2011 on the file of II-Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, and the accused Nos.1 to 3 in Sessions Case No.46 of 2016 on the file of VI-Additional Metropolitan Sessions Judge, Secunderabad, respectively.

5. Since both the parties have affirmed the terms of the Joint Memos and request to record the compromise compounding the offences against the accused Nos.1 to 3 in both the Criminal Petitions, and to quash the proceedings as the same falls within the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹ the parties are permitted to enter into compromise by allowing Criminal Petition M.P. No.3611 of 2017 in Criminal Petition No.17077 of 2016 and Criminal Petition M.P. No.3592 of 2017 in Criminal Petition No.3554 of 2017.

6. Accordingly, both the Criminal Petitions are allowed, at the admission stage itself, quashing the proceedings against the accused

¹ 2012 (10) SCC 303

Nos.1 to 3 in Calendar Case No.284 of 2011 on the file of II-Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, and the accused Nos.1 to 3 in Sessions Case No.46 of 2016 on the file of VI-Additional Metropolitan Sessions Judge, Secunderabad, respectively. The Joint Memos entered into by the parties in both Criminal Petitions shall form part of the record.

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

Dt. 28.04.2017
gbs

A. SHANKAR NARAYANA, J

