

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.878 AND 879 OF 2017

IN/AND

CRIMINAL PETITION No.895 OF 2017

AND

CRIMINAL PETITION M.P. Nos.850 AND 851 OF 2017

IN/AND

CRIMINAL PETITION No.6591 OF 2016

COMMON ORDER:

Criminal Petition No.895 of 2017 is filed by accused No.1 Viz., A. Reddy Prasad, and Criminal Petition No.6591 of 2016 is filed by accused Nos.2, 3, 4 and 5 viz., A. Yellamma, A. Reddy Sekhar, A. Reddy Radhika, Ketham Surender, respectively, under Section 482 of the Code of Criminal Procedure, 1973, seeking to quash the First Information Report in Crime No.79 of 2014 of Kukatpally Housing Board Colony Police Station, Cyberabad for the offences punishable under Sections 406, 418, 420, 493, 498-A and 506 of the Indian Penal Code, 1860 (IPC) and Sections 3 and 4 of the Dowry Prohibition Act, 1961 read with Section 34 of IPC.

2. Criminal Petition M.P. Nos.878 and 879 of 2017 and Criminal Petition M.P. Nos.850 and 851 of 2017 are filed by Ms. K. Swapna, who is respondent No.2 in both the Criminal Petitions being the *de facto* complainant along with her affidavit, Joint Memo signed and affirmed by both the parties and their respective counsel, and also affidavit of accused No.1 and accused No.3, on his behalf and also on behalf of accused Nos.2, 4 and 5 since they authorised

him to represent the matter by the Special Power of Attorney, dated 21.10.2016, requesting to permit the parties to compromise the matter and to compound the offences, and consequently to quash the proceedings against the accused stating that with the intervention of the elders, they settled the matter between them, outside the Court, in terms of the compromise.

3. The *de facto* complainant, accused No.1 and accused No.3, who is representing accused Nos.2, 4 and 5, as well as their counsel are present and the parties are identified by their respective counsel, Sri G. Nageswara Rao and Sri Chetluru Srieenivas. The parties have also 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 *de facto* complainant, accused No.1 and accused No.3, who is representing accused Nos.2, 4 and 5, report that they have compromised the matter through the intervention of the elders and that accused No.1 and the *de facto* complainant are living separately settling all the differences between them in terms of the compromise and to that effect they have also filed Joint Memo entered into between them and request the Court to record the compromise compounding the offences against accused Nos.1 to 5, and, consequently to quash the proceedings.

5. Since both the parties have affirmed the terms of the Joint Memo and request to record the compromise compounding the

offences against all the accused and to quash the proceedings and that as it is a matrimonial dispute falling within the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹, Criminal Petition M.P. Nos.878 and 879 of 2017 and Criminal M.P. Nos.850 and 851 of 2017 are allowed recording the compromise between the parties in terms of the Joint Memo and compounding the offences against all the accused.

6. Accordingly, both the Criminal Petitions are allowed, at the admission stage itself, quashing the proceedings against all the accused in Crime No.79 of 2014 of Kukatpally Housing Board Colony Police Station, Cyberabad. The Joint Memo entered into between the parties and the Special Power of Attorney, dated 21.10.2016, shall form part of the record.

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

A. SHANKAR NARAYANA, J

February 13, 2017.

PV

¹ 2012 (10) SCC 303