

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.3020 & 3021 OF 2017

IN/AND

CRIMINAL PETITION No.3069 OF 2017

COMMON ORDER:

Criminal Petition No.3069 of 2017 is filed by the petitioners - accused Nos.1 to 3 under Section 482 of the Code of Criminal Procedure, 1973 seeking to quash the proceedings in C.C. No.44 of 2017 on the file of Principal Judicial Magistrate of First Class, Jangaon, for the offences punishable under Sections 342, 452, 365, 323 and 504 read with Section 34 of IPC.

2. Criminal Petition M.P. No.3020 of 2017 is filed by the *de facto* complainant, Smt. Madaraboina Naga Prabha, under Section 320 (6) of Cr.P.C. along with her affidavit to permit her to enter into compromise with the petitioners - accused Nos.1 to 3 in the aforesaid Calendar Case.

3. Criminal Petition M.P. No.3021 of 2017 is filed by the *de facto* complainant, Smt. Madaraboina Naga Prabha, under Section 320 (2) of Cr.P.C. along with a Joint Memo signed and affirmed by both the parties. They request to permit them to compromise the matter and to compound the offences, and consequently to quash the proceedings against the accused Nos.1 to 3 stating that with the intervention of the elders and well-wishers the matter has been amicably settled.

3. The *de facto* complainant (L.W.1 – Madaraboina Nagaprabha), accused Nos.1 to 3, other victims namely L.W.2 – Guda Swathi, L.W.3 – Iyloni Vijayarani, L.W.4 - Juttupalli Filax and L.W.5 – Madaraboina Kumaraswamy, as well as their counsel are present and the parties are identified by their respective counsel, Sri M. Goutham Kumar and Sri M. Saleem. 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, 2nd respondent/*de facto* complainant in the Criminal Petition and the victims have expressed that they have no grievance of any kind against the petitioners – accused Nos.1 to 3 .

5. Since both 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 the same falls within the guidelines laid down by the Hon’ble Supreme Court in **Gian Singh v. State of Punjab**¹, Criminal Petition M.P. Nos.3020 and 3021 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, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against the accused Nos.1 to 3 in C.C. No.44 of 2017 on the file of Principal Judicial

¹ 2012 (10) SCC 303

Magistrate of First Class, Jangaon. The Joint Memo entered into between the parties shall form part of the record.

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

A. SHANKAR NARAYANA, J

Dt. 20.04.2017
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