

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. No.3354 OF 2017

IN/AND

CRIMINAL PETITION No.3351 OF 2017

COMMON ORDER:

Criminal Petition No.3351 of 2017 is filed by the petitioner/accused under Section 482 of the Code of Criminal Procedure, 1973 seeking to quash the proceedings in C.C. No.363 of 2015 on the file of II-Additional Judicial Magistrate of First Class, Eluru, West Godavari District, for the offences punishable under Sections 448, 324, 323 & 506 of IPC.

2. Criminal Petition M.P. No.3354 of 2017 is filed by the 2nd respondent/*de facto* complainant, Mohammed Sharina, under Section 320 (2) of Cr.P.C. along with her affidavit, Joint Memo 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 stating that with the intervention of the elders and well-wishers the matter has been amicably settled.

3. The *de facto* complainant, accused, as well as their counsel are present and the parties are identified by their respective counsel, Sri M.L. Ali and Smt. K. Shyamala Reddy. 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 accused report that with the intervention of the elders and well-wishers the matter has been amicably settled.

5. Since both the parties have affirmed the terms of the Joint Memo and request to record the compromise compounding the offences against the accused and to quash the proceedings and as 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. No.3354 of 2017 is allowed recording the compromise between the parties in terms of the Joint Memo and compounding the offences against the accused.

6. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against the accused in C.C. No.363 of 2015 on the file of II-Additional Judicial Magistrate of First Class, Eluru, West Godavari District. The Joint Memo entered into by the parties, shall form part of the record.

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

Dt. 24.04.2017
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A. SHANKAR NARAYANA, J

¹ 2012 (10) SCC 303