

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA
CRIMINAL MISCELLANEOUS PETITION Nos.855 AND 854
OF 2017
IN/AND
CRIMINAL PETITION Nos.5468 AND 4943 OF 2014

COMMON ORDER:

The petitioners in Criminal Petition No.5468 of 2014 are Accused Nos.1 and 2, whereas the petitioners in Criminal Petition No.4943 of 2014 are Accused Nos.3 and 4. Their request in both these petitions is to quash the proceedings in P.R.C.No.1 of 2014 on the file of the I-Additional Chief Metropolitan Magistrate, Nampally, Hyderabad. The offences alleged against the petitioners by the defacto complainant, who is respondent No.1 in both these petitions, are punishable under Sections 120-B, 406, 420, 384 and 506 IPC and Section 3 (i) (x) of SC & ST (POA) Act, 1989.

2. The petitioners and respondent No.1 viz., Karumanchi Sudhakar Babu in both these petitions are present and they are identified by their respective counsel. They have produced Photostat copies of their Aadhaar Cards in proof of their identity.

3. Sri T.Pradyumna Kumar Reddy, learned counsel for the petitioners, and Sri I.Satya Prasad Rao, learned counsel for respondent No.1 in both these petitions, would submit that the parties have entered into compromise and, having cleared differences between them, they intend to lead their life peacefully and amicably and, therefore, requested to record the compromise. Learned counsel would

further submit that some of the offences alleged are non-compoundable and they relied on the decision of the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹.

4. The parties have also filed separate compromise petitions vide Criminal Petition M.P.No.855 of 2017 in the former appeal and Criminal Petition M.P.No.854 of 2017 in the latter appeal, seeking permission to compound the offences and to quash the proceedings in the aforesaid P.R.C. In both these compromise petitions, on the top of the 2nd page, though, the word 'joint memo' is written beside the word 'compromise petition', the same is struck off. Be that as it may, these petitions contain the signatures of both parties and their counsel. The defacto complainant affirmed the contents mentioned in the affidavits filed along with the compromise petitions. Along with these compromise petitions, Memorandum of Understanding, dated 13.01.2016, entered into between Accused No.1 and respondent No.1, is also filed stating the terms of compromise.

5. Since the parties have entered into compromise and the quashment of proceedings in the present P.R.C would not have any impact on the society when examined in the light of the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh's** case, further prosecution of the offences against the petitioners need not be continued.

¹ 2012 (10) SCC 303

6. Therefore, Criminal Petition M.P.Nos.854 & 855 of 2017 are allowed compounding the offences against the accused and the Criminal Petitions are allowed quashing the proceedings in PRC.No.1 of 2014 on the file of the I-Additional Chief Metropolitan Magistrate, Nampally, Hyderabad. The terms of compromise shall form part of the record.

7. Miscellaneous petitions, if any, pending in these Criminal Petitions shall stand closed.

02.02.2017
v v

A. SHANKAR NARAYANA, J

