

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. No.2561 OF 2017

IN/AND

CRIMINAL PETITION No.2593 OF 2017

COMMON ORDR:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (Code), is filed by the petitioners - accused Nos.1 and 2 viz., Nimmala Praveen Kumar Goud and Nimmala Nagaraj Goud, seeking to quash the proceedings in Crime No.452 of 2016 of Ibrahimpatnam Police Station, Cyberabad, for the offences punishable under Section 3(1)(r) (X) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, and Section 324 of the Indian Penal Code, 1860.

2. Criminal Petition M.P. No.2561 of 2017 is filed by the *de facto* complainant viz., pandi Bhaskar, who is respondent No.1 in the present Criminal Petition, along with his affidavit and the Joint Memo dated 24.03.2017, signed by both parties and their respective counsel, requesting to permit the parties to compromise the matter for the offences alleged, and consequently to quash the proceedings against the petitioners, stating that with the intervention of the elders and well-wishers, they have settled all the disputes and differences between them in terms of the Joint Memo, referred to above.

3. The *de facto* complainant, his counsel Sri O. Udaya Kumar, petitioner Nos.1 and 2 and their counsel Sri Kiran Palakurthi, are present and the parties are identified by their respective counsel. 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 and the petitioners report that they have compromised the matter by settling all the disputes and differences between them in terms of the Joint Memo, referred to above, and the *de facto* complainant affirms that he has no objection for quashing the proceedings against the petitioners, and, thus, request to record the compromise and consequently to quash the proceedings.

5. Since the offences alleged i.e., Section 3(1)(r) (X) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, and Section 324 of the Indian Penal Code, 1860, are non-compoundable, parties moved the present criminal petition seeking to quash the proceedings, as it is settled law that non-compoundable offences can also be compounded under Section 482 of the Code of Criminal Procedure, 1973, as held in **Gian Singh v. State of Punjab**¹.

¹ 2012 (10) SCC 303

6. Since both parties have affirmed the terms of the Joint Memo, referred to above, requesting to record the compromise, compound the offences and to quash the proceedings against the petitioners, and in view of the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh**¹, Criminal Petition M.P. No.2561 of 2017 is allowed permitting the parties to enter into compromise and, accordingly, the compromise between the parties is recorded in terms of the Joint Memo, referred to above.

7. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against the petitioners (accused Nos.1 and 2) in Crime No.452 of 2016 of Ibrahimpatnam, Cyberabad. The Joint Memo, referred to above, shall form part of the record.

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

A. SHANKAR NARAYANA, J

March 27, 2017.
PV