

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

Crl.P.M.P.Nos.11364 & 11365 of 2017

IN/AND

Crl.P.No.8368 of 2017

ORDER:

Heard both sides.

The petitioner/accused and the 2nd respondent-defacto complainant of crime No.215 of 2017 of Bhimavaram I Town Police Station, West Godavari District, registered for the offences punishable under Sections 376(2)(e)(n), 354-B, C, 328, 384 & 506 IPC, present before the Court and stated that they settled the matter amicably outside the Court and the terms of the compromise was also appended.

A perusal of the record shows the alleged rape was in the year 1997 under pretence of medical treatment, knowingly that she is a married woman. Later she was in living relationship with accused and blessed with a male child on 17.07.2009 by name Charantej and her husband deserted her. The further version is that in May 2017 she was compelled by him for sex and for her refusal, abused her and is trying to exploit and extort saying her nude picture coverages are with him to be exposed. At this stage it is her say in open Court having present of abiding by the earlier settlement arrived also in presence of her mother and it is only to have some gain if possible, she come forward with the police report. From perusal of the record supra the alleged offences under Section 376(2)(e)(n) and Section 328 taken place in 1997 cannot be now made grounds to complain in the year 2017, but for the other offences punishable under Sections 354-B, C, 384 & 506 IPC which otherwise can be permitted to be compounded.

In view of the above and from settlement and the very report is for extraneous reasons, the offences are permitted to be compounded and the accused is acquitted and the bail bonds of the accused, if any, shall stand cancelled.

Accordingly and in the result, both the CrI.P.M.P.Nos.11364 & 11365 of 2017 and the criminal petition are allowed. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 25.10.2017
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