

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.3392, 3393 & 3394 OF 2017

IN/AND

CRIMINAL PETITION No.3391 OF 2017

COMMON ORDER:

Criminal Petition No.3391 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.1562 of 2016 on the file of Judicial Magistrate of First Class (Prohibition & Excise), Nalgonda, for the offences punishable under Sections 498-A & 506 of IPC and Sections 3 & 4 of Dowry Prohibition Act, 1961.

2. Criminal Petition M.P. No.3392 of 2017 is filed by Sri Nevursu Seshagiri Rao, General Power of Attorney-holder and father of the 2nd respondent/*de facto* complainant - Mrs. Srikantam Meena, under Section 320 (6) of Cr.P.C. requesting to permit him to enter into compromise.

3. Criminal Petition M.P. No.3393 of 2017 is filed by the 2nd petitioner/accused No.2 – Srikantam Ramana Murthy, under Section 482 of Cr.P.C. seeking permission to prosecute the criminal petition on behalf of the 1st petitioner/accused No.1 – Srikantam Rakesh - as General Power of Attorney-holder.

3. Criminal Petition M.P. No.3394 of 2017 by Sri Nevursu Seshagiri Rao, General Power of Attorney-holder and father of the 2nd respondent/*de facto* complainant - Mrs. Srikantam Meena, under

Section 320 of Cr.P.C. along with his affidavit, Joint Memo, dated 18.4.2017, signed and affirmed by both the parties. They request to permit them to compromise the offences and to compound the offences, and consequently to quash the proceedings against the accused Nos.1 to 3 in C.C. No.1562 of 2016 on the file of Judicial Magistrate of First Class (Prohibition & Excise), Nalgonda, stating that with the intervention of the elders, they settled the matter between them, outside the Court.

4. Sri Nevursu Seshagiri Rao, General Power of Attorney-holder and father of the 2nd respondent/*de facto* complainant - Mrs. Srikantam Meena, accused Nos.2 & 3, accused No.1 – Srikantam Rakesh, through his GPA holder Sri Srikantam Ramana Murthy (accused No.2), as well as their counsel are present and the parties are identified by their respective counsel, Sri Kiran Palakurthi and Sri Ch. Venkat Raman respectively. The parties have produced photostat copies of their respective “Aadhaar Cards” in proof of their identity and also attested on the case bundle.

5. On being asked, the father of the 2nd respondent/ *de facto* complainant; accused Nos.2 & 3 and accused No.1 through his GPA Holder (accused No.2), report that that they have compromised the matter at the intervention of the elders and to that effect they have also filed Joint Memo, dated 18.04.2017 and General Power of Attorney, dated 10.12.2016 of the 2nd respondent/*de facto* complainant and request the Court to record the compromise compounding the offences

against the accused Nos.1 to 3, and, consequently to quash the proceedings, stating that the accused No.1 paid an amount of Rs.5,00,000/- each through two Demand Drafts bearing Nos.333273 & 333274, dated 20.04.2017, aggregating to Rs.10,00,000/- to the father of the *de facto* complainant, that he agreed to receive the remaining balance amount of Rs.15,00,000/- on behalf of his daughter/*de facto* complainant at the time of granting decree of divorce in FCOP No.38 of 2016 on the file of Senior Civil Judge, Kothagudem, Badadri Kothagudem, Khammam District.

6. Since both the parties have affirmed the terms of the Joint Memo dated 18.04.2017; General Power of Attorney, dated 10.12.2016 of the 2nd respondent/*de facto* complainant, and request to record the compromise compounding the offences against the accused Nos.1 to 3 and to quash the proceedings and as it is a matrimonial dispute falling within the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹ the parties are permitted to enter into compromise by allowing Criminal Petition M.P. No.3392, 3393 & 3394 of 2017.

7. 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.1562 of 2016 on the file of Judicial Magistrate of First Class (Prohibition & Excise), Nalgonda. The Joint Memo, dated 18.04.2017 entered into by the parties; General Power of

¹ 2012 (10) SCC 303

Attorney, dated 10.12.2016 of the 2nd respondent/*de facto* complainant 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. 27.04.2017
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