

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.2169 & 2170 OF 2017

IN/AND

CRIMINAL PETITION No.2222 OF 2017

COMMON ORDER:

The present Criminal Petition is filed by the petitioners - accused Nos.1 to 6 under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Code') seeking to quash the proceedings against them in the First Information Report in Crime No.78 of 2016 on the file of Kanchanbagh P.S., Hyderabad, for the offences punishable under Section 498-A of I.P.C. and Sections 3 & 4 of Dowry Prohibition Act.

2. Criminal Petition M.P. No.2169 of 2017 is filed by the 2nd respondent / *de facto* complainant – Smt. Bibi Hajera - under Section 320 (6) of the Code to compound the offences in the aforesaid crime as the parties have compromised the matter.

3. Criminal Petition M.P. No.2170 of 2017 is filed by the 2nd respondent / *de facto* complainant under Section 320 of the Code along with affidavit of *de facto* complainant, Smt. Bibi Hajera, Joint Memo signed and affirmed by both the parties and their respective counsel, requesting to permit the parties to compromise the matter and compound the offences, and consequently to quash the proceedings against the petitioners 1 to 6 – accused Nos.1 to 6.

4. The *de facto* complainant –Smt Bibi Hajera, petitioners 1 to 6 accused Nos.1 to 6 accused as well as their counsel are present and the parties are identified by their respective counsel, Sri Shakeel Ahmed and Sri Aqeel Ahmed. 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 *de facto* complainant and accused report that they have compromised the matter through the intervention of elders and the *de facto* complainant stated that she does not intend to further proceed with the crime on her complaint in Crime No.78 of 2016 of Kanchanbagh P.S., Hyderabad for the offences punishable under Section 498-A of I.P.C. and Sections 3 & 4 of Dowry Prohibition Act and to that effect they have also filed Joint Memo entered into between them and request the Court to record the compromise compounding the offences against the petitioners 1 to 6 – accused Nos.1 to 6.

6. Since both the parties have affirmed the terms of the Joint Memo and request to record the compromise compounding the offences against the petitioners 1 to 6 – accused Nos.1 to 6 and to quash the proceedings 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, Criminal Petition M.P. Nos.2169 and 2170 of 2017 are allowed recording the compromise between the parties in terms of

the Joint Memo and compounding the offences against the petitioners 1 to 6 – accused Nos.1 to 6.

7. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against the petitioners 1 to 6 - accused Nos.1 to 6 in Crime No.78 of 2016 on the file of Kanchanbagh P.S., Hyderabad. The Joint Memo entered into between the parties shall form part of the record.

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

Dt. 17.03.2017
gbs

A. SHANKAR NARAYANA, J

¹ 2012 (10) SCC 303

