

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. No.798 OF 2017

IN/AND

CRIMINAL PETITION No.833 OF 2017

COMMON ORDR:

The present Criminal Petition is filed by the petitioner under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Code') seeking to quash the proceedings against him in C.C. No.49 of 2015 on the file of XIII-Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, for the offence punishable under Sections 498-A of I.P.C.

2. Criminal Petition M.P. No.798 of 2017 is filed by the *de facto* complainant, Smt. Olice Samantha, under Section 320 (6) of the Code along with Joint Memo signed and affirmed by both the parties and their respective counsel, requesting to permit the parties to compromise the matter and to compound the offences, and consequently to quash the proceedings against the accused stating that with the intervention of the elders, they settled the matter between them, outside the Court, in terms of the compromise.

3. The *de facto* complainant, accused, as well as their counsel are present and the parties are identified by their respective counsel, Sri Kausar Khanom Khairkhah and Sri Mohammed Aslam. The parties have 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 accused report that they have compromised the matter through the intervention of the elders between them in terms of the compromise and to that effect they have also filed Joint Memo entered into by them and request the Court to record the compromise compounding the offence against accused, and, consequently to quash the proceedings.

5. Since both the parties have affirmed the terms of the Joint Memo and request to record the compromise compounding the offence against the accused 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, Criminal Petition M.P. No.798 of 2017 is allowed recording the compromise between the parties in terms of the Joint Memo and compounding the offence against the accused.

6. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against the accused in C.C. No.49 of 2015 on the file of XIII-Additional Chief Metropolitan Magistrate, Nampally, Hyderabad. The Joint Memo entered into by the parties 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

Dt. 04.04.2017
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¹ 2012 (10) SCC 303