

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. No.1602 OF 2017

IN/AND

CRIMINAL PETITION No.1643 OF 2017

COMMON ORDR:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by accused Nos.1 to 3 viz., Mohd. Shafeeq, Mohd. Laeeq and Shabena Khatoun, respectively, seeking to quash the proceedings in C.C. No.376 of 2014 on the file of XV Additional Chief Metropolitan Magistrate, Hyderabad, arising out of First Information Report No.133 of 2014 of Women Police Station, South Zone, Hyderabad, for the offences punishable under Sections 498-A and 506 read with Section 34 of the Indian Penal Code, 1860.

2. Criminal Petition M.P. No.1602 of 2017 is filed by the *de facto* complainant Smt. Syed Tahseen, who is wife of petitioner No.1 and respondent No.2 in the Criminal Petition, along with her affidavit and the Joint Memo, dated 21.02.2017, signed and affirmed by both parties and their respective counsel, requesting to permit the parties to compromise the offence and to compound the same, and consequently to quash the proceedings against the petitioners stating that with the intervention of the elders, they settled the matter between them by taking divorce, outside the Court, in terms of the compromise.

3. The *de facto* complainant, Smt. Syed Tahseen, and the petitioners as well as their counsel are present and the parties are identified by their respective counsel, Sri A. Ravi Shankar and Reddy Venkata Ramana. Both parties have produced photostat copies of their respective “Aadhaar Cards” also in proof of their identity and also attested on the case bundle.

4. On being asked, the *de facto* complainant, and the petitioner reports that they have compromised the matter with the intervention of the elders by settling all the disputes and differences between them by taking divorce mutually in terms of the compromise and to that effect they have also filed the Joint Memo and request the Court to record the compromise and to compound the offence, and, consequently to quash the proceedings against the petitioners.

5. Since both parties have affirmed the terms of the Joint Memo, requesting to permit them to compromise the matter stating that the *de facto* complainant and petitioner No.1 have taken divorce by mutual consent and to compound the offences alleged against the petitioners, 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.1602 of 2017 is allowed recording the compromise between the parties in terms of the Joint Memo, referred to above.

¹ 2012 (10) SCC 303

6. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against the petitioner in C.C. No.376 of 2014 on the file of XV Additional Chief Metropolitan Magistrate, Hyderabad. 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

February 21, 2017.
PV

