

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.1880 AND 1881 OF 2017

IN/AND

CRIMINAL PETITION No.9764 OF 2014

COMMON ORDER:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Code'), is filed by the petitioner - accused seeking to quash the proceedings in Calendar Case No.484 of 2013 on the file of Principal Judicial Magistrate of First Class, Sathupalli, Telangana State, registered for the offences punishable under Sections 327, 340, 344 and 346 IPC.

2. Criminal Petition M.P. No.1880 of 2017 is filed by respondent No.1 - *de facto* complainant seeking to permit him and petitioner in the main petition to compromise the matter.

3. Criminal Petition M.P. No.1881 of 2017 is filed by him seeking to compound the aforesaid offences in pursuance of the compromise.

4. Perused the affidavit of the *de facto* complainant and the joint memo signed by both the parties filed along with the CrI.P.M.P.1881 of 2017.

5. Both parties as well as their learned counsel are present and the parties are identified by their respective learned counsel, Sri V. Balram and Sri K. Pavan Kumar. The parties have also produced

photostat copies of their respective “Aadhaar Cards” in proof of their identity.

6. On being enquired, the *de facto* complainant, who is father of sole accused, expressed no grievance of any kind against his son and only keeping in view that he is also one of the sons amongst three sons and one of them is no more by name Mr. M. Kesava Reddy as he was sickly person, and that he is aware of the contents of joint memo and affidavit.

7. Since both parties affirmed the contents of affidavit filed by the *de facto* complainant and the joint memo and though, the offence punishable under Section 327 IPC is non-compoundable, but in view of the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹, as the present request falls within the said guidelines and disputes and differences among family members are resolved amicably, the permission is granted and, consequently, the compromise is recorded.

8. Accordingly, Criminal Petition M.P. Nos.1880 and 1881 of 2017 are allowed and, consequently, the present Criminal Petition is allowed quashing the proceedings against the petitioner - Accused Calendar Case No.484 of 2013 on the file of Principal Judicial Magistrate of First Class, Sathupalli. The joint memo filed by the parties shall form part of the record.

¹. (2012) 10 SCC 303

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

A. SHANKAR NARAYANA, J

April 03, 2017.
Mgr

