

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.2307 & 2308 OF 2017

IN/AND

CRIMINAL PETITION No.2347 OF 2017

COMMON ORDER:

The present Criminal Petition is filed by the petitioner/accused under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Code') seeking to quash the proceedings against him in the First Information Report in Crime No.43 of 2015 on the file of Jawaharnagar P.S., Cyberabad, for the offences punishable under Sections 420, 465, 468 & 471 of I.P.C.

2. Criminal Petition M.P. No.2307 of 2017 is filed by the 2nd respondent / *de facto* complainant to compound the offences in the aforesaid crime as the parties have compromised the matter.

3. Criminal Petition M.P. No.2308 of 2017 is filed by the 2nd respondent / *de facto* complainant along with affidavit of *de facto* complainant Dr. P. Satyanarayana, 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 accused stating that with the intervention of the elders, they settled the matter between them, outside the Court, in terms of the compromise.

4. The *de facto* complainant, accused as well as their counsel are present and the parties are identified by their respective counsel,

Sri P.V. Chowdary and Sri S.R. Sanku. 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 between them in terms of the compromise 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 accused, and also the accused report that he has no objection to withdraw the pending suit against the petitioner/*de facto* complainant in O.S. No.1054 of 2013 on the file of XVI-Additional District Judge, Malkajgiri, R.R. District.

6. Since both the parties have affirmed the terms of the Joint Memo and request to record the compromise compounding the offences against the accused and to quash the proceedings since the dispute between the parties would not affect the rights of any third parties, and the same falls within the guidelines laid down by the Hon’ble Supreme Court in **Gian Singh v. State of Punjab**¹, Criminal Petition M.P. Nos.2307 and 2308 of 2017 are allowed recording the compromise between the parties in terms of the Joint Memo and compounding the offences against the accused.

¹ 2012 (10) SCC 303

7. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against the accused in Crime No.43 of 2015 on the file of Jawaharnagar P.S., Cyberabad. 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.

A. SHANKAR NARAYANA, J

Dt. 17.03.2017

gbs

