

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION.M.P.Nos.3574 & 3575 OF 2017

IN/AND

CRIMINAL PETITION No.3541 OF 2017

COMMON ORDER:

Criminal Petition No.3541 of 2017 is filed by the petitioners – accused Nos.1 to 3, under Section 482 of the Code of Criminal Procedure, 1973, seeking to quash the proceedings in Crime No.317 of 2016 of Women Police Station, C.C.S. D.D, Hyderabad, for the offences under Sections 498-A and 406 IPC and Sections 4 and 6 of the Dowry Prohibition Act.

2. Criminal Petition M.P.No.3574 of 2017 is filed by the 2nd respondent/*de facto* complainant, Dr.K.Anita Reddy, requesting to permit the parties to compromise the matter in terms of the Joint Memo and to compound the offences.

3. Criminal Petition M.P.No.3575 of 2017 is also filed by the 2nd respondent/*de facto* complainant, Dr.K.Anita Reddy, along with the Joint Memo signed and affirmed by both the parties, requesting to permit her to enter into compromise with the petitioners-accused, and consequently, to quash the proceedings against the accused.

4. The *de facto* complainant and petitioner Nos.1 and 2 - accused Nos.1 and 2 are present. Petitioner No.3 - accused No.3 is not present and the *de facto* complainant expresses no objection to record compromise even in her absence. According to the counsel, the

reason for absence of petitioner No.3-accused No.3 is that she is bed ridden and unable to move from the bed. When the *de facto* complainant has no objection to record compromise in the absence of petitioner No.3-accused No.3, certainly, recording of compromise need not be postponed.

5. The parties are identified by their respective counsel, Smt.K. Vijaya Lakshmi, learned counsel for the petitioners, and Sri Kasi Nageswar Rao, learned counsel for the 2nd respondent – *de facto* complainant, and they have produced Photostat copies of their respective “Aadhaar Cards” in proof of their identity and also attested on the case bundle.

6. On being asked, the 2nd respondent/*de facto* complainant and the petitioner Nos.1 and 2 – accused Nos.1 and 2 report that with the intervention of the elders and well-wishers, matter has been compromised and, to that effect, they have filed the Joint Memo signed by both parties and their counsel and request the Court to record the compromise and, consequently, to quash the proceedings against the accused.

7. Since both parties have affirmed the terms of the compromise and request to record the compromise and to quash the proceedings, in view of the guidelines laid down by the Hon’ble Supreme Court in **Gian Singh v. State of Punjab**¹, the parties are permitted to enter into

¹ 2012 (10) SCC 303

compromise by allowing Criminal Petition M.P.Nos.3574 & 3575 of 2017.

8. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against the petitioners-accused in Crime No.317 of 2016 of W.P.S., C.C.S D.D., Hyderabad, for the offences under Sections 498-A and 406 IPC and Sections 4 and 6 of the Dowry Prohibition Act. The Joint Memo shall form part of the record.

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

28th April 2017
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A. SHANKAR NARAYANA, J

