

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

CrI.RC.MP.Nos.3355 & 3356 of 2017

In/and

CrI.R.C.No.1647 of 2016

COMMON ORDER:

This Criminal Revision Case, under Sections 397 and 401 of the Code of Criminal Procedure, 1973, ('the Code', for short) is filed by the petitioner/ accused assailing the judgment, dated 22.06.2016, of the learned I Additional Sessions Judge at East Godavari, Rajahmundry, passed in CrI.A.No.11 of 2015.

1.1 By the afore-stated judgment, the learned Additional Sessions Judge, while confirming the judgment, dated 26.12.2014, of the learned Judicial Magistrate of First Class, Addateegala, passed in C.C.No.127 of 2014 insofar as the offence punishable under Section 509 IPC is concerned, has partly allowed the appeal insofar as the offence under Section 506 IPC is concerned and has accordingly set aside the conviction and sentence imposed on the petitioner for the said offence punishable under Section 506 IPC.

2. CrI.RC.MP.Nos.3355 and 3356 of 2017 are filed by the impleaded *de facto* complainant seeking permission to compound the offence and record the compromise and acquit the accused in view of the terms of compromise, which are reduced into writing in the joint memo annexed to CrI.RC.MP.No.3355 of 2017.

3. When the matter is taken up for hearing, the petitioner/ accused and the 2nd respondent-*de facto* complainant, who are present in the Court, produced copies of their respective identity proofs. They are also identified by their respective counsel.

4. When examined by the Court, the 2nd respondent-*de facto* complainant stated that she voluntarily settled the matter amicably and without any force

from any quarter and affirmed and admitted the terms of compromise, which are said to have been arrived at, at the intervention of elders and well wishers. The petitioner-accused also stated that they have amicably settled the matter and further admitted the terms of the compromise, which are reduced into writing in the form of joint memo filed along with the afore-stated Miscellaneous Petition.

5. Having regard to the facts and submissions, this court is satisfied that the parties have entered into compromise voluntarily with free Will and consent and without any pressure or force from any quarter. Considering the fact that the parties have amicably settled the disputes between themselves out of the Court, this Court finds that no useful purpose would be served in keeping the proceedings pending. Therefore, permission is hereby accorded and the compromise is recorded. CrI.PC.MP.Nos.3355 and 3356 of 2017 are accordingly allowed.

6. In the result, Criminal Revision Case is allowed and the judgment, dated 22.06.2016, of the learned I Additional Sessions Judge at East Godavari, Rajahmundry, passed in CrI.A.No.11 of 2015 is hereby set aside and the petitioner/ accused is acquitted of the offence with which he is charged and found guilty. His bail bonds shall stand cancelled. The joint memo shall form part of this order.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE M. SEETHARAMA MURTI

24.07.2017

Vjl