

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.2078 & 2079 of 2017

IN/AND

CRIMINAL PETITION No.2143 OF 2017

COMMON ORDR:

The present Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Code') by the petitioners 1 to 3 - accused Nos.1 to 3 seeking to quash the proceedings in Calendar Case No.794 of 2016 on the file of XIII-Additional Chief Metropolitan Magistrate, Hyderabad, for the offences punishable under Sections 498-A & 406 of I.P.C. and Sections 4 & 6 of Dowry Prohibition Act.

2. Criminal Petition M.P. No.2078 of 2017 is filed the 2nd respondent/*de facto* complainant under Section 320 (6) of the Code requesting to grant permission to compound the offences punishable under Sections 498-A & 406 of I.P.C. and Sections 4 & 6 of Dowry Prohibition Act, and consequently to quash the proceedings in the aforesaid Calendar Case.

3. Criminal Petition M.P. No.2079 of 2017 is filed under Section 320 of the Code requesting to record compromise.

4. The 2nd respondent/*de facto* complainant and the petitioners 1 to 3 - accused Nos.1 to 3 are present and identified by their respective Counsel, Syed Abdul Faheem and Sri Shakeel Ahmed. The

parties have produced photostat copies of their respective “Aadhaar Cards” in proof of their identity and also attested on the case bundle.

5. The *de facto* complainant and the petitioners 1 to 3 – accused Nos.1 to 3 in the criminal petition would affirm the contents mentioned in the joint memo filed along with Criminal Petition M.P. No.2079 of 2017 duly signed by both the parties and their respective counsel, requesting to permit the parties to compromise the matter, and to 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 Court, in terms of the compromise.

6. Since both parties have affirmed the terms of the Joint Memo and request to record the compromise as they did not reunite but they want to lead peaceful life having resolved their differences and disputes, permission is granted for recording compromise in view of the guidelines laid down by the Hon’ble Supreme Court in **Gian Singh (supra) v. State of Punjab**¹. Accordingly, Criminal Petition M.P. Nos.2078 & 2079 of 2017 are allowed recording the compromise between the parties in terms of the Joint Memo compounding the offences against all the accused.

7. Consequently, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against all the

¹ 2012 (10) SCC 303

accused in Calendar Case No.794 of 2016 on the file of XIII-Additional Chief Metropolitan Magistrate, Hyderabad. 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. 13.03.2017
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