

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.1020 AND 1021 OF 2017

IN/AND

CRIMINAL PETITION No.1075 OF 2017

COMMON ORDER:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Code'), is filed by the petitioners - accused Nos.1 to 4 seeking to quash the proceedings against them in S.C. No.186 of 2016 on the file of the XI Additional Chief Metropolitan Magistrate, Secunderabad, registered for the offences punishable under Sections 498A, 307 and 506 read with 34 IPC and Sections 4 and 6 of the Dowry Prohibition Act, 1961.

2. Criminal Petition M.P. No.1020 of 2017 is filed by the petitioners under Section - 320 (2) of the Code seeking to permit them and *de facto* complainant to compromise the matter.

3. Criminal Petition M.P. No.1021 of 2017 is filed by *de facto* complainant, who is respondent No.2 in the main petition, accompanying affidavit and a joint memo signed by both the parties, seeking to record the compromise in terms of the joint memo to quash the proceedings in the aforesaid case.

4. Both parties as well as their learned counsel are present and the parties are identified by their respective learned counsel, Sri G. Ravichandran and Sri M.A.K. Mukeed. The parties have also

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

5. Perused the affidavit and the joint memo signed by both the parties. The petitioners and respondent No.2 - *de facto* complainant entered into compromise concerning the aforesaid offences.

6. As per the terms of joint memo, the petitioners - accused have agreed to pay a sum of Rs.7,00,000/- (Rupees seven lakhs) towards permanent alimony. The *de facto* complainant affirmed that she has already received a sum of Rs.4,00,000/- and today she received the balance amount of Rs.3,00,000/- of which, a sum of Rs.2,00,000/- is received by way of demand draft bearing No.082732, dated 31.01.2017 issued by AXIS Bank Limited, Jubilee Hills Branch, Hyderabad and Rs.1,00,000/- in cash, and requests to record compromise expressing that she had no grievance of any kind against the petitioners - accused.

7. Since both the parties have entered into compromise and affirmed the contents of joint memo, compromise is recorded as it is a matrimonial dispute and falls within the guidelines laid down by the Hon’ble Supreme Court in **Gian Singh v. State of Punjab**¹.

8. In view of the above circumstances, Criminal Petition M.P. Nos.1020 and 1021 of 2017 are allowed and, consequently, the present Criminal Petition is allowed quashing the proceedings against

the petitioners - Accused Nos.1 to 4 in S.C. No.186 of 2016 on the file of the XI Additional Chief Metropolitan Magistrate, Secunderabad. The joint memo filed by 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

February 10, 2017.
Mgr



¹. (2012) 10 SCC 303