

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. No.2444 OF 2017

IN/AND

CRIMINAL PETITION No.2476 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 in Calendar Case No.285 of 2017 on the file of II Additional Junior Civil Judge - cum - XIX Metropolitan Magistrate, Kukatpally at Miyapur, Cyberabad, registered for the offences punishable under Sections 498A IPC and 3 and 4 of the Dowry Prohibition Act, 1961.

2. Criminal Petition M.P. No.2444 of 2017 is filed by respondent No.2 - *de facto* complainant, seeking permission of the Court to compound the aforesaid offences by recording compromise.

3. Perused the affidavit of the *de facto* complainant and the joint memo signed by both the parties filed along with the aforesaid M.P. The petitioners and respondent No.2 - *de facto* complainant entered into compromise concerning the aforesaid offences.

4. Both parties as well as their learned counsel are present and the parties are identified by their respective learned counsel, Sri Venkateshwar Varanasi and Dr.T.P. Shailaja. The parties have also produced photostat copies of their respective "Aadhaar Cards" in proof of their identity.

5. On being enquired, petitioner No.1 - accused No.1 would represent that he has agreed to pay a sum of Rs.8,00,000/- towards permanent alimony and the same would be paid in the form of Bankers Cheque tomorrow at the time of disposal of divorce petition O.P. No.1884 of 2016 on the file of the Judge, Family Court, Ranga Reddy District, for which the *de facto* complainant has agreed and would represent that she has no grievance of any kind against the petitioners - accused to record compromise in the present petition and that she is aware of the contents of joint memo and affidavit.

6. Since both parties affirmed the contents of affidavit filed by the *de facto* complainant and the joint memo, compromise is recorded as it is only a matrimonial dispute and falls within the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹.

7. The Criminal Petition M.P. No.2444 of 2017 is allowed and, consequently, the present Criminal Petition is allowed quashing the proceedings against the petitioners - Accused Nos.1 to 4 in Calendar Case No.285 of 2017 on the file of II Additional Junior Civil Judge - cum - XIX Metropolitan Magistrate, Kukatpally at Miyapur, Cyberabad. The joint memo filed by the parties shall form part of the record.

¹. (2012) 10 SCC 303

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

A. SHANKAR NARAYANA, J

March 23, 2017.
Mgr

