

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. No.1714 OF 2017

IN/AND

CRIMINAL PETITION No.1775 OF 2017

COMMON ORDR:

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 C.C. No.519 of 2016 on the file of XIII-Additional Chief Metropolitan Magistrate, Hyderabad for the offences punishable under Sections 498-A & 406 of IPC and Sections 4 & 6 of Dowry Prohibition Act.

2. Criminal Petition M.P. No.1714 of 2017 is filed by Smt. Kavya Mothukuri, who is respondent No.2 in the Criminal Petition being the *de facto* complainant along with her affidavit, Joint Memo signed and affirmed 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 well-wishers both parties have resolved their disputes and the *defacto* complainant and accused No.1 living together and leading marital life and, therefore, they sought to quash the proceedings in C.C. No.519 of 2016 on the file of XIII-Additional Chief Metropolitan Magistrate, Hyderabad

3. The *de facto* complainant, accused Nos.1 to 4, as well as their counsel are present and the parties are identified by their respective counsel, Sri G. Nagabhushana Reddy and Sri M. Achutha Reddy. The parties have also produced photostat copies of their respective “Aadhaar Cards” in proof of their identity and also attested on the case bundle.

4. Since both the parties have affirmed the terms of the Joint Memo and request to record the compromise compounding the offences against all the accused and to quash the proceedings and as it is a matrimonial dispute falling within the guidelines laid down by the Hon’ble Supreme Court in **Gian Singh v. State of Punjab**¹, Criminal Petition M.P. No.1714 of 2017 is allowed recording the compromise between the parties in terms of the Joint Memo and compounding the offences against all the accused.

5. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against all the accused in C.C.No.519 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. 01.03.2017
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¹ 2012 (10) SCC 303