

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. No.2511 OF 2017

IN/AND

CRIMINAL PETITION No.2552 OF 2017

COMMON ORDR:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (Code), is filed by the petitioners - accused Nos.1 and 2 viz., Ravipati Venkateshwar Rao and Meka Kiranmaye, seeking to quash the proceedings in Crime No.106 of 2016 of Subedari Police Station, Hanumkonda, Warangal District, for the offences punishable under Sections 323, 420 and 506 of the Indian Penal Code, 1860 and Section 3(i)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Criminal Petition M.P. No.2511 of 2017 is filed under Section 320 of the Code, by the *de facto* complainant, who is respondent No.2 in the present Criminal Petition, along with his affidavit and the Joint Memo, dated 23.03.2017, signed by both parties and their respective counsel, requesting to permit the parties to compromise the matter for the offences alleged and consequently to quash the proceedings against the petitioners, stating that with the intervention of the elders and well-wishers, they have settled all the disputes and differences between them in terms of the Joint Memo, referred to above.

3. The *de facto* complainant, his counsel Sri G. Mallesh, petitioner Nos.1 and 2 and their counsel Sri A. Prabhakar Rao, are present and the parties are identified by their respective counsel. 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. On being asked, the *de facto* complainant and the petitioners report that they have compromised the matter by settling all the disputes and differences between them in terms of the Joint Memo, referred to above, and the *de facto* complainant affirms that he has no objection for quashing the proceedings against the petitioners, and, thus, request to record the compromise, and consequently to quash the proceedings.

5. Though, the offences punishable under Sections 323 and 506 of IPC are compoundable, since the offences punishable under Section 420 of IPC and Section 3(i)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 are non-compoundable, parties moved the present criminal petition seeking to quash the proceedings, as it is settled law that non-compoundable offences can also be compounded under Section 482 of the Code of Criminal Procedure, 1973, as held in **Gian Singh v. State of Punjab**¹.

¹ 2012 (10) SCC 303

6. Since both parties have affirmed the terms of the Joint Memo, referred to above, requesting to record the compromise and to quash the proceedings against the petitioners, and in view of the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh¹**, Criminal Petition M.P. No.2511 of 2017 is allowed permitting the parties to enter into compromise and, accordingly, the compromise between the parties is recorded in terms of the Joint Memo, referred to above.

7. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against the petitioners (accused Nos.1 and 2) in Crime No.106 of 2016 of Subedari Police Station, Hanumkonda, Warangal District. The Joint Memo, referred to above, 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

March 24, 2017.
PV