

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRL.P.MP.No.3628 OF 2017
IN/AND
CRIMINAL PETITION NO.2878 OF 2013

COMMON ORDER:

Crl.P.M.P.No.3628 of 2017 is filed under Section 320(3) of Cr.P.C. to record the compromise entered into by the petitioner and respondents.

The criminal petition is filed under Section 482 of Cr.P.C to quash the proceedings in Crime No.46 of 2013 of Maredpalli Police Station, Hyderabad for the offences punishable under Sections 509 and 506 of IPC.

The petitioners and the second respondent/*de facto* complainant are present and they are identified by their respective counsels and produced Photostat copies of Aadhar cards to prove their identity.

On enquiry, the *de facto* complainant fairly informed the Court that she voluntarily entered into compromise with the petitioners due to intervention of elders and well-wishers.

In “**Gian Singh v. State of Punjab and Anr.**”¹ the Apex Court held that depending upon the facts and circumstances of each case, the High Court can exercise its inherent power under Section 482 Cr.P.C., however before exercising such power, High Court must have due regard to nature and gravity of crime and its social impact. It is further held that heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc.,

¹ (2012) 10 SCC 303

could not be fittingly quashed even though victim or victim's family and offender have settled dispute. Such offences were not private in nature and have serious impact on society. Similarly any compromise between victim and offender in relation to offences under special statutes like Prevention of Corruption Act or offences committed by public servants while working in that capacity etc; could not provide for any basis for quashing criminal proceedings involving such offences.

By applying the principles laid down by the Supreme Court in the judgment referred supra, since the settlement is in the interest of the petitioners and the 2nd respondent and the said settlement has no societal impact, I find that it is a fit case to permit the petitioners to compound the offences.

Accordingly, Crl.P.M.P. and criminal petition are allowed. Crime No.46 of 2013 on the file of Marredpally Police Station, Hyderabad is quashed.

Consequently, miscellaneous applications pending if any, shall also stand closed.

JUSTICE M. SATYANARAYANA MURTHY

Date:28.04.2017
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