

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL M.P. No.881 OF 2017

IN/AND

CRIMINAL PETITION No.896 OF 2017

COMMON ORDER:

Petitioners 1 to 3 are accused 1 to 3 respectively, in Crime No.315 of 2013 and the 2nd respondent is the defacto complainant, wife of the first petitioner are present. Their respective counsel are also present. The parties are identified by respective counsel Sri Gopala Krishna Kalanidhi, learned counsel for the petitioners, and Sri M.Prabhakar Rao, learned counsel for the 2nd respondent.

The offences alleged against the petitioners are punishable under Sections 498-A, 406 of Indian Penal Code and under Section 4 & 6 of the Dowry Prohibition Act. The defacto complainant and petitioners 1 to 3 affirmed the contents of memorandum of understanding (Family settlement) filed along with the petition, under Section 320 (1) r/w. Section 482 of Cr.P.C. They plead the Court to record compromise as per the terms of memorandum of understanding stated to have been incorporated in the memorandum of understanding which is appended. By the memorandum of understanding an amount of Rs.1,00,000/- (Rupees One Lakh only) payment has been made today vide D.D.No.513032 dated 25.01.2017 to the defacto complainant and Rs.2,00,000/- (Rupees Two Lakhs only) out of total amount of Rs.3,00,000/- will have to be paid on the date when the divorce petition is decided on compromise.

Since the issue is a matrimonial dispute, the guidelines issued by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹ would attract as the dispute between them stated to be resolved once for all and to lead rest of their life free of litigation and differences.

Thus, the CrI.P.M.P.No.881 of 2017 is ordered. Consequently, CrI.P.No.896 of 2017 is allowed quashing the proceedings in C.C.No.384 of 2014 on the file of XIII Additional Chief Metropolitan Magistrate, Hyderabad. The original Memorandum of Understanding (Family settlement) between the parties shall form part of the record.

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

3rd February, 2017
Rds

A. SHANKAR NARAYANA, J

¹ 2012 (10) SCC 303

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DATED : 03.02.2017

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