

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA
CRIMINAL MISCELLANEOUS PETITION No.853 OF 2017
IN/AND
CRIMINAL PETITION No.4085 OF 2016

ORDER:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, is filed by the petitioner requesting to quash the proceedings in C.C.No.300 of 2015 on the file of III Additional Chief Metropolitan Magistrate, Nampally, Hyderabad. The offences alleged against the petitioner by the defacto complainant, who is respondent No.2, are punishable under Sections 406, 420, 468, 471 and 506 IPC.

2. The petitioner and respondent No.2 are present and they are identified by their respective counsel. They have produced Photostat copies of their Aadhaar Cards in proof of their identity.

3. Sri I.Satya Prasad Rao, learned counsel for the petitioner, and Sri T.Pradyumna Kumar Reddy, learned counsel for respondent No.2, would submit that the parties have entered into compromise and, having cleared differences between them, they intend to lead their life peacefully and amicably and, therefore, requested to record the compromise. Learned counsel would further submit that some of the offences alleged are non-compoundable and they relied on the decision of the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹.

¹ 2012 (10) SCC 303

4. The parties have also filed separate compromise petition vide Criminal M.P.No.853 of 2017, seeking permission to compound the offences and to quash the proceedings in the aforesaid Calender Case. In the compromise petition, just below the cause title, though, the word 'joint memo' is written beside the word 'compromise petition', the same is struck off. Be that as it may, this petition contains the signatures of both parties and their counsel. The defacto complainant affirmed the contents mentioned in the affidavit filed along with the compromise petition. Along with the compromise petition, Memorandum of Understanding, dated 13.01.2016, entered into between the petitioner/Accused and the defacto complainant, is also filed stating the terms of compromise.

5. Since the parties have entered into compromise and the quashment of proceedings in the present Calender Case would not have any impact on the society in view of the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh**'s case, further prosecution of the offences against the petitioners need not be continued.

6. In that view of the matter, Criminal Petition M.P.No.853 of 2017 is allowed compounding the offences against the accused and the Criminal Petition is allowed quashing the proceedings in C.C.No.300 of 2015 on the file of the III-Additional Chief Metropolitan Magistrate, Nampally, Hyderabad. The terms of compromise shall form part of the record.

7. Miscellaneous petitions, if any, pending in these Criminal
Petitions shall stand closed.

A. SHANKAR NARAYANA, J

02.02.2017

v v

