

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. No.2667 OF 2017

IN/AND

CRIMINAL PETITION No.2062 OF 2017

COMMON ORDER:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Code'), is filed by the petitioner - sole accused seeking to quash the proceedings in S.C. No.198 of 2012 on the file of the II Additional Judicial Magistrate of First Class, Kovvur, for the offences punishable under Sections 457, 380 and 436 IPC.

2. Criminal Petition M.P. No.2667 of 2017 is filed by the respondent No.2 - *de facto* complainant seeking permission of the Court to compound the aforesaid offences in the aforesaid S.C.

3. Both parties as well as their learned counsel are present and the parties are identified by their respective learned counsel, Sri Mangena Sree Rama Rao and Smt. N. Anula. The parties have also produced photostat copies of their respective "Aadhaar Cards" in proof of their identity.

4. On being enquired, the *de facto* complainant expressed no grievance against the petitioner.

5. Since both the parties have entered into compromise and affirmed the contents of affidavits and joint memo, compromise is recorded, though the offence punishable under Section 436 IPC is a

non-compoundable offence, as the dispute squarely falls within the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹.

6. In view of the above circumstances, Criminal Petition M.P. No.2667 of 2017 is allowed and, consequently, the present Criminal Petition is allowed quashing the proceedings against the petitioner - Accused in S.C. No.198 of 2012 on the file of the II Additional Judicial Magistrate of First Class, Kovvur. The joint memo filed by the parties shall form part of the record.

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

April 03, 2017.
Mgr

A. SHANKAR NARAYANA, J

¹. (2012) 10 SCC 303