

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.1947 & 1948 of 2017

IN/AND

CRIMINAL PETITION No.2049 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 petitioners - accused Nos.1 & 2 seeking to quash the proceedings in Sessions Case No.254 of 2016 on the file of IV-Additional District & Sessions Judge, Rangareddy District for the offences punishable under Sections 498(A) & 307 of IPC and under Sections 3 & 4 of Dowry Prohibition Act.

2. Criminal Petition M.P. No.1948 of 2017 is filed by the *de facto* complainant, Smt. Katta Vasavi Priya, under Section 320 (2) of the Code requesting to permit her to enter into compromise with the respondents 1 & 2, who are arraigned as accused Nos.1 & 2 in the Criminal Petition, and to quash the proceedings in S.C. No.254 of 2016 on the file of IV-Additional District & Sessions Judge, Rangareddy District.

3. The 2nd respondent/de facto complainant and the petitioners 1 & 2 - accused Nos.1 & 2 are present and identified by their respective Counsel, Sri K. Ravi Kanth and Sri N. Shrawan Kumar. The parties have also produced photostat copies of their respective

“Aadhaar Cards” in proof of their identity and attested on the case bundle.

4. Criminal Petition M.P. No.1947 of 2017 is filed by the petitioners under Section 320 (6) of the Code seeking permission to enter into compromise for the reason that it is a matrimonial dispute and in fact the *de facto* complainant and the 1st petitioner in the criminal petition have filed a petition which is at the S.R. stage on the file of Special Judge, Family Court, Rangareddy District at L.B. Nagar requesting to grant decree of divorce on mutual consent.

5. Memorandum of Understanding is filed in Criminal Petition M.P.No.1948 of 2017 mentioning the terms therein to the effect that the 1st petitioner has to pay totally a sum of Rs.17,50,000/-, out of which a sum of Rs.7,50,000/- was paid through demand drafts for various sums on different dates, which details are mentioned in the Memorandum of Understanding, and the rest of the amount was required to be paid when the decree of divorce is granted by the concerned Court.

6. Learned Additional Public Prosecutor for the State of Telangana has not opposed the compromise between the parties, except stating that the offence punishable under Section 307 of IPC is a non-compoundable offence.

7. As both the parties have affirmed the terms of the Joint Memo and the *de facto* complainant expressed no grievance and since it is

mainly a matrimonial dispute falling within the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹, Criminal Petition M.P. Nos.1947 & 1948 of 2017 are allowed recording the compromise between the parties in terms of the Joint Memo and compounding the offences against the accused Nos.1 & 2.

8. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against the accused Nos.1 & 2 in S.C. No.254 of 2016 on the file of IV-Additional District & Sessions Judge, Rangareddy District. The Joint Memo entered into between the parties shall form part of the record.

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

Dt. 08.03.2017
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A. SHANKAR NARAYANA, J

¹ 2012 (10) SCC 303