

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRL.R.C.M.P.No.3945 of 2017

and

CRIMINAL REVISION CASE No.2583 of 2016

COMMON JUDGMENT:

CrI.R.C.M.P.No.3945 of 2017 is filed under Section 320(2) of Cr.P.C., seeking leave of this Court to compound the offences punishable under Sections 498-A of IPC and Sections 3 and 4 of Dowry Prohibition Act, on the ground that after conviction by the trial and the appellate Courts, the defacto complainant/ Dr.M.K. Sasikala and the respondents/ A-1 to A-3 – B. Amarendra Naik, B. Somla Naik and B. Padmavathamma respectively, compromised the matter subject to certain terms contained in the joint compromise memo filed along with this petition.

Both the parties appeared before this Court i.e., petitioner/defacto complainant and respondents 1 to 3/A-1 to A-3 and they are identified by their respective counsel and furnished copies of Aadhar Cards in proof of their identity.

When this Court explained terms of compromise both parties admitted the contents of terms of compromise as true and correct and the petitioner also acknowledged receipt of Rs.45,00,000/- (Rupees forty five lakhs only) in total and by way of two different Demand Drafts and requested this Court to grant leave to compound the offences since A-1 to A-3 were

found guilty and convicted for the offences punishable under Section 498-A of IPC and Sections 3 and 4 of Dowry Prohibition Act.

When they entered into compromise to settle in their future life, I deem it appropriate to grant leave to both the parties to compound the offence by exercising power under Section 320 (2) of Cr.P.C., since the offence is not grave and not against the societal interest

Accordingly, CrI.R.C.M.P.No.3945 of 2017 is allowed, as I found that the compromise is voluntary.

In view of the orders passed in CrI.R.C.M.P.No.3945 of 2017, the present criminal revision case is allowed, setting aside the conviction and sentence passed against A-1 to A-3 and acquitted them for the offences punishable under Section 498-A IPC and Sections 3 and 4 of Dowry Prohibition Act. A-1 to A-3 are set at liberty forthwith, in case, they are not required in any other case, without furnishing any security.

The Miscellaneous Petitions, if any, pending in this Criminal Revision Case shall stand closed.

JUSTICE M. SATYANARAYANA MURTHY

September 07, 2017

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