

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. No.3688 OF 2017

IN/AND

CRIMINAL PETITION No.3318 OF 2017

COMMON ORDER:

Criminal Petition No.3318 of 2017 is filed by the petitioner/accused under Section 482 of the Code of Criminal Procedure, 1973, seeking to quash the proceedings in C.C. No.510 of 2016 on the file of XIII-Additional Metropolitan Magistrate, Nampally, Hyderabad, for the offences punishable under Sections 498-A & 406 of IPC and Sections 4 & 6 of Dowry Prohibition Act, 1961.

2. Criminal Petition M.P. No.3688 of 2017 by the 2nd respondent/*de facto* complainant, Smt. Noori Arshi, under Section 320 of Cr.P.C. along with her affidavit, Joint Memo signed and affirmed by both the parties. They request to permit them to compromise the offences and to compound the offences, and consequently to quash the proceedings against the accused in C.C. No.510 of 2016 on the file of XIII-Additional Metropolitan Magistrate, Nampally, Hyderabad, stating that with the intervention of the elders, they settled the matter between them, outside the Court

4. The 2nd respondent/*de facto* complainant - Smt. Noori Arshi, accused, as well as counsel are present and the parties are identified by their respective counsel, Mrs. M. Rajeswari and Sri K. Durga

Prasad. The parties have produced photostat copies of their respective “Aadhaar Cards” in proof of their identity and also attested on the case bundle.

5. On being asked, the 2nd respondent/ *de facto* complainant and accused report that that they have compromised the matter at the intervention of the elders and to that effect they have also filed Joint Memo. Since the *de facto* complainant/wife joined the petitioner/husband and living amicably under the same roof, and request the Court to record the compromise compounding the offences against the accused, and, consequently to quash the proceedings.

6. Since both the parties have affirmed the terms of the Joint Memo, and request to record the compromise compounding the offences against the accused and to quash the proceedings and as it is a matrimonial dispute falling within the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹ the parties are permitted to enter into compromise by allowing Criminal Petition M.P. No.3688 of 2017.

7. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against the accused in C.C. No.510 of 2016 on the file of XIII-Additional Metropolitan Magistrate, Nampally, Hyderabad. The Joint Memo entered into by the parties shall form part of the record.

¹ 2012 (10) SCC 303

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

A. SHANKAR NARAYANA, J

Dt. 28.04.2017
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