

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.3682 & 3683 OF 2017

IN/AND

CRIMINAL PETITION No.3221 OF 2017

COMMON ORDER:

Criminal Petition No.3221 of 2017 is filed by the petitioners 1 &2/ accused Nos.2 & 3 respectively, under Section 482 of the Code of Criminal Procedure, 1973, seeking to quash the First Information Report in Crime No.78 of 2017 of Nalgonda II-Town Police Station, Nalgonda District, for the offences punishable under Sections 417 & 420 of IPC and Sections 3 & 4 of Dowry Prohibition Act, 1961.

2. Criminal Petition M.P. No.3682 of 2017 is filed by the 2nd respondent/de facto complainant, Boddu Yadagiri, under Section 320 (6) of Cr.P.C. to permit him to enter into compromise with the accused Nos.2 & 3, and to compound the offences.

3. Criminal Petition M.P. No.3683 of 2017 is filed by the 2nd respondent/de facto complainant, Boddu Yadagiri, under Section 320 (2) of Cr.P.C. along with his affidavit, Joint Memo dated 27.4.2017, signed and affirmed by both parties. They request to permit them to compromise the offences and to compound the offences, and consequently to quash the proceedings against accused Nos.2 & 3 in Crime No.78 of 2017 of Nalgonda II-Town Police Station, Nalgonda District, stating that with the intervention of the

elders, they settled the matter amicably between them, outside the Court.

4. The 2nd respondent/de facto complainant - Boddu Yadagiri, accused Nos.2 & 3, namely, Kunuru Narasimha and Kunuru Shoba, respectively, are present, and they are identified by their respective counsel, Sri A. Mogili and Sri P. Vamsheedhar Reddy. The parties have produced photostat copies of their respective "Aadhaar Cards" in proof of their identity and also attested on the case bundle.

5. The 1st petitioner/accused No.1 – Kunuru Prashanth is not present. The learned counsel would represent that he is residing in U.S.A.

6. On being asked, the 2nd respondent/de facto complainant - Boddu Yadagiri, accused Nos.2 & 3, namely, Kunuru Narasimha and Kunuru Shoba, respectively, report that they have compromised the matter at the intervention of the elders and to that effect they have also filed Joint Memo, dated 27.4.2017, entered into by them. The *de facto* complainant would represent that he has already received an amount of Rs.1,00,000/- in cash and a sum of Rs.2,50,000/- by way of Cheque bearing No.351383 of State Bank of Hyderabad, Vanasthalipuram Branch, and he agreed to receive the balance amount of Rs.3,50,000/- at the time of closure of the case against the 1st accused - Kunuru Prashanth, and request the Court to record

compromise compounding the offences against the accused Nos. 2 & 3, and, consequently to quash the proceedings.

7. Since both parties have affirmed the terms of the Joint Memo, dated 27.4.2017 entered into by them, and request to record the compromise and compound the offences against the accused Nos.2 & 3 and to quash the proceedings and as the same falls 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. Nos.3682 & 3683 of 2017 and compromise is recorded.

8. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against the accused Nos.2 & 3 in Crime No.78 of 2017 of Nalgonda II-Town Police Station, Nalgonda District. The Joint Memo, dated 27.4.2017 entered into by the parties shall form part of the record.

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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¹ 2012 (10) SCC 303