

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRL.P.M.P. No.2226 OF 2017
IN/AND
CRIMINAL PETITION No.7689 OF 2013

COMMON ORDER:

Crl.P.M.P. No.2226 of 2017 is filed under Section 320(6) of Criminal Procedure Code, 1973 (for short 'the Code') seeking permission of this Court to compound the offence punishable under Section 498-A of the Indian Penal Code, 1860 in Crime No.118 of 2013 of Chilakalapudi Police Station, Machilipatnam, Krishna District.

Both the parties are present in person and they are identified by their respective counsel and they unanimously stated that they entered into compromise with the intervention of elders and that it is voluntary. The petitioner/ A.1 agreed to pay Rs.7,00,000/- and accordingly, he handed over the amount by way of Demand Draft vide DD. No.873864 for Rs.5,00,000/- and DD. No. 873904 for Rs.2,00,000/- drawn on State Bank of India, Mandapeta Branch, the same was acknowledged by the second respondent.

In "**GIAN SINGH V. STATE OF PUNJAB AND ANR.**"¹ the Apex Court held that depending upon the facts and circumstances of each case, the High Court can exercise its inherent power under Section 482 Cr.P.C., however before exercising such power, High Court must have due regard to nature and gravity of crime and its social impact. It is further held that heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc., could not be fittingly quashed even though victim or victim's family and offender have settled dispute. Such offences were not private in nature and

¹ (2012) 10 SCC 303

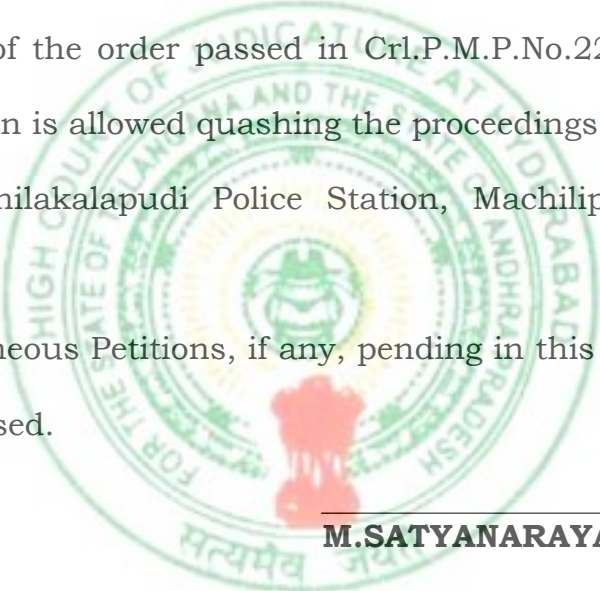
have serious impact on society. Similarly any compromise between victim and offender in relation to offences under special statutes like Prevention of Corruption Act or offences committed by public servants while working in that capacity etc; could not provide for any basis for quashing criminal proceedings involving such offences.

By applying the principle laid down in the above judgment, since the settlement is in the interest of both parties, I find that it is a fit case to permit the parties to compound the offences.

Accordingly, permission is accorded in Crl.P.M.P. No.2226 of 2017 as sought for.

In view of the order passed in Crl.P.M.P.No.2226 of 2017, the criminal petition is allowed quashing the proceedings in Crime No.118 of 2013 of Chilakalapudi Police Station, Machilipatnam, Krishna District.

Miscellaneous Petitions, if any, pending in this criminal petition shall stand closed.

A large, faint green circular seal of the High Court of Andhra Pradesh is centered in the background. It features the text 'HIGH COURT OF ANDHRA PRADESH' around the top and 'FOR THE STATE OF ANDHRA PRADESH' around the bottom. In the center is a smaller circular emblem with a tree and a book. Below the emblem is a red ink smudge.
M.SATYANARAYANA MURTHY, J

23.03.2017
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