

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL M.P. No.275 OF 2017

IN/AND

CRIMINAL PETITION No.266 OF 2017

COMMON ORDR:

The Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner - accused No.1 viz., Mohd. Abdul Feroz seeking to quash the proceedings against him in Crime No.387 of 2016 of Golconda Police Station, Hyderabad, registered for the offence punishable under Section 498-A of the Indian Penal Code, 1860 (IPC).

2. Criminal M.P. No.275 of 2017 is filed by the wife of the petitioner Smt. Zubeda Begum, who is respondent No.1 in the Criminal Petition being the *de facto* complainant, seeking to grant leave to the parties to compromise the matter and also to allow the criminal petition.

3. Both parties as well as their counsel are present and the parties are identified by their learned counsel Sri L. Ram Singh and also the concerned Investigating Officer, who is present in the Court at the request of the learned Additional Public Prosecutor. The parties have also produced photostat copies of their respective "Aadhaar Cards" in proof of their identity.

4. On being asked, the *de facto* complainant and the petitioner reports that they have compromised the matter through the intervention of the elders to live amicably and joined together and leading marital life and to that effect they have also filed an agreement - cum - Memorandum of Understanding dated 09.01.2017 entered into between the parties with certain terms in paragraph Nos.1 to 9 and request the Court to record the compromise at the stage of crime and to acquit the petitioner.

5. Though, the offence punishable under Section 498-A IPC is compoundable and the parties could have got the compromise recorded before the Court concerned where the First Information Report is pending, in view of the pendency of the present petition, the parties have come to this Court requesting to record the compromise.

6. It is needless to mention that no authority is need to be referred to since it is a compoundable offence.

7. Since both the parties have affirmed as to the terms in the agreement - cum - Memorandum of Understanding, dated 09.01.2017, and request to record the compromise and quash the impugned proceedings against the petitioner, Criminal M.P. No.275 of 2017 is allowed recording the compromise between the parties.

6. Accordingly, the Criminal Petition is allowed quashing the proceedings against the petitioner in Crime No.387 of 2016 of Golconda Police Station, Hyderabad registered for the offence punishable under Section 498-A of IPC. The original Agreement - cum - Memorandum of Understanding between the parties shall form part of the record.

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

January 18, 2017.
PV

A. SHANKAR NARAYANA, J

