

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

Crl.P.M.P.Nos.11178 and 11179 OF 2017
IN/AND
CRIMINAL PETITION NO.9514 OF 2017

ORDER:

Crl.P.M.P.Nos.11178 and 11179 of 2017

These miscellaneous petitions are filed under Section 482 read with 320(6) Criminal Procedure Code (for short "Cr.P.C.") seeking leave to compromise the case and compound the offence punishable under Sections 420, 506 and 307 of Indian Penal Code (for short "I.P.C.") read with 156 (3) of Cr.P.C. as the matter is settled outside the Court and they entered into compromise and filed joint memo along with this petition.

As seen from the F.I.R, the petitioner allegedly committed the offences punishable under Sections 420, 506 and 307 of I.P.C. Respondent – Bodapati Veera Brahmam filed a private complaint, which was referred under Section 156 (3) of Cr.P.C. by the Magistrate. In the complaint, it is alleged that on 28.05.2017 at about 07.00 p.m. the accused came to Nadendla, whereas the complainant asked the accused about repayment of money and thenceforth the accused grew wild and abused the complainant in filthy language, threatened and warned him with dire consequences and threatened that if the complainant would ask the money he would kill him. In that scenario, the neighbours of the scene of offence intervened and rescued the complainant from the accused.

Thus, the said allegations made in the complaint at best would attract the offence punishable under Section 506 of I.P.C. but not an offence punishable under Section 307 of I.P.C.

Complainant and the petitioner/accused are also present and they are identified by their counsel and Public Prosecutor, produced Photostat copies of aadhar cards in proof of their identity. When terms of compromise are explained in vernacular language, they are admitted to be true and correct.

As the offence committed by the petitioner/accused is not against the society, permission is granted to compound the offence. Hence, compromise is recorded in terms of the joint memo filed along with the petition. Accordingly, the petitions are ordered.

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In view of the orders passed in Crl.P.M.P.Nos.11178 and 11179 of 2017, the present petition is allowed in terms of the joint compromise memo dated 23.10.2017. No costs.

Registry is directed to annex a copy of the joint memo dated 23.10.2017 to this order.

Consequently, miscellaneous applications pending if any, shall stand dismissed.

JUSTICE M. SATYANARAYANA MURTHY

07.11.2017
Ksp