

**HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA**

**CRIMINAL PETITION M.P.Nos.37 & 38 of 2017**

**IN/AND**

**CRIMINAL PETITION No.42 OF 2017**

**COMMON ORDR:**

Criminal Petition No.42 of 2017 is filed by the petitioners – accused Nos.1 to 4, under Section 482 of the Code of Criminal Procedure, 1973, seeking to quash the proceedings in Crime No.183 of 2015 of W.P.S., C.C.S. D.D, Hyderabad, for the offences under Sections 498-A and 406 IPC and Sections 4 and 6 of the Dowry Prohibition Act.

2. Criminal Petition M.P.No.37 of 2017 is filed by the 2<sup>nd</sup> respondent/*de facto* complainant, Rubeena Yasmeen, requesting to permit the parties to compromise the matter in terms of the Joint Memo dated 30.12.2016 and to compound the offences.

3. Criminal Petition M.P.No.38 of 2017 is also filed by the 2<sup>nd</sup> respondent/*de facto* complainant, Rubeena Yasmeen, along with the Joint Memo dated 30.12.2016 signed and affirmed by both the parties and their respective counsel, requesting to permit her to enter into compromise with the petitioners-accused, and consequently, to quash the proceedings against the accused.

4. The *de facto* complainant and petitioner Nos.1 to 3 - accused Nos.1 to 3 are present. Petitioner No.4 - accused No.4 is represented by petitioner No.1 – accused No.1 as his General Power of Attorney

Holder. The parties are identified by their respective counsel, Sri Mohammed Riyaz Pasha, learned counsel for the petitioners, and Sri Mohammed Masood Ali, learned counsel for the 2<sup>nd</sup> respondent – *de facto* complainant, and they 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 2<sup>nd</sup> respondent/*de facto* complainant and the petitioners-accused report that with the intervention of the elders and well-wishers, the matter has been compromised and, to that effect, they have filed the Joint Memo, dated 30.12.2016, signed by both parties and their counsel, and also the Memorandum of Understanding executed in the month of November, 2016, which is filed in the material papers, and request the Court to record the compromise and, consequently, to quash the proceedings against the accused.

6. Since both the parties have affirmed the terms of the compromise and request to record the compromise and to quash the proceedings, in view of the guidelines laid down by the Hon’ble Supreme Court in **Gian Singh v. State of Punjab**<sup>1</sup>, the parties are permitted to enter into compromise by allowing Criminal Petition M.P.Nos.37 & 38 of 2017.

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<sup>1</sup> 2012 (10) SCC 303

7. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against the petitioners-accused in Crime No.183 of 2015 of W.P.S., C.C.S D.D., Hyderabad, for the offences under Sections 498-A and 406 IPC and Sections 4 and 6 of the Dowry Prohibition Act. The terms of the Joint Memo, dated 30.12.2016, and the Memorandum of Understanding, referred to above, shall form part of the record.

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

April 26, 2017.

v v

**A. SHANKAR NARAYANA, J**

