

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.2566 AND 2567 OF 2017

IN/AND

CRIMINAL PETITION No.2596 OF 2017

COMMON ORDER:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Code'), is filed by the petitioners - accused Nos.1 to 6 seeking to quash the proceedings in Calendar Case No.343 of 2015 on the file of XIV Metropolitan Magistrate, L.B. Nagar, Cyberabad, Telangana, registered for the offences punishable under Section 498A, 506 and 306 read with 511 IPC and 3 and 4 of the Dowry Prohibition Act, 1961.

2. Criminal Petition M.P. No.2566 of 2017 is filed by respondent Nos.2 and 3 - *de facto* complainant and victim, seeking to record the compromise.

3. Criminal Petition M.P. No.2567 of 2017 is filed by the petitioners - accused seeking to compound the aforesaid offences in pursuance of the compromise entered into between themselves and respondent Nos.2 and 3 - *de facto* complainant and victim.

4. Perused the affidavit of the *de facto* complainant and the victim and the joint memo signed by both the parties filed along with the CrI.P.M.P.2566 of 2017. The petitioners and respondent Nos.2 and 3 - *de facto* complainant and victim entered into compromise concerning the aforesaid offences.

5. Both parties as well as their learned counsel are present and the parties are identified by their respective learned counsel, Sri S. R. Sanku and Sri K. Neelakanteshwara Rao. The parties have also produced photostat copies of their respective “Aadhaar Cards” in proof of their identity.

6. On being enquired, the *de facto* complainant and the victim also affirm the contents of joint memo and express no objection to record the compromise as petitioner No.1 has agreed to register Flat No.E, Homotech Suhaanyhav in Survey No.147/3, 3rd Main 7th Cross LBS Nagar, Annasandra Playa, Vimanapura Post, Bangalur, in favour of respondent No.3 - victim by clearing off the bank loan by the date of getting the divorce between them on mutual consent and that they have no grievance of any kind against the petitioners - accused to record compromise in the present petition and that she is aware of the contents of joint memo and affidavit.

7. Since both parties affirmed the contents of affidavit filed by the *de facto* complainant and the joint memo, compromise is recorded as it is only a matrimonial dispute and falls within the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹.

8. The Criminal Petition M.P. Nos.2566 and 2567 of 2017 are allowed and, consequently, the present Criminal Petition is allowed quashing the proceedings against the petitioners - Accused Nos.1 to 6

in Calendar Case No.343 of 2015 on the file of XIV Metropolitan Magistrate, L.B. Nagar, Cyberabad. The joint memo filed by the parties shall form part of the record.

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

A. SHANKAR NARAYANA, J

April 03, 2017.
Mgr



¹. (2012) 10 SCC 303