

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. No.2971 OF 2017

IN/AND

CRIMINAL PETITION No.3020 OF 2017

AND

CRIMINAL PETITION M.P. Nos.2983 OF 2017

IN/AND

CRIMINAL PETITION No.3037 OF 2017

COMMON ORDER:

Criminal Petition No.3020 of 2017 is filed by the petitioners 1 to 3 - accused Nos.1 to 3, under Section 482 of the Criminal Procedure Code, 1908 (for short, 'the Code'), seeking to quash the proceedings in Calendar Case No.1287 of 2015 on the file of XXIV-Metropolitan Magistrate, Kukatpally at Miyapur, for the offences punishable under Sections 498-A of IPC and Sections 4 & 5 of Dowry Prohibition Act; whereas Criminal Petition No.3037 of 2017 is filed by the petitioners 1 to 3 - accused Nos.1 to 3 under Section 482 of the Code, seeking to quash the proceedings in D.V.C. No.8 of 2014 on the file of VI-Metropolitan Magistrate, Cyberabad at Medchal for the offences punishable under Sections 18, 19, 20 & 22 of the Protection of Women from Domestic Violence Act, 2005.

2. Criminal Petition M.P. No.2971 of 2017 in Criminal Petition No.3020 of 2017 and Criminal Petition M.P.No.2983 of 2017 in Criminal Petition No.3037 of 2017 are filed by the 2nd respondent/*de facto* complainant, Smt. B. Chayadevi, along with her affidavit, Joint Memos signed and affirmed by both the parties and their respective counsel, requesting to permit the parties to compromise the matter and

to compound the offences, and consequently to quash the proceedings against the accused Nos.1 to 3 in Calendar Case No.1287 of 2015 on the file of XXIV-Metropolitan Magistrate, Kukatpally at Miyapur, and in D.V.C. No.8 of 2014 on the file of VI-Metropolitan Magistrate, Cyberabad at Medchal, respectively, stating that with the intervention of the elders, they settled the matter between them, outside the Court, in terms of the compromise.

3. The 2nd respondent/*de facto* complainant – Smt. B. Chaya Devi and accused Nos.1 to 3 in both the Criminal Petitions, as well as their counsel are present and the parties are identified by their respective counsel, Sri N. Ramappa and Sri V.V. Satish. The parties have produced photostat copies of their respective “Aadhaar Cards” in proof of their identity and also attested on the case bundle.

4. On being asked, the 2nd respondent/*de facto* complainant – Smt. B. Chaya Devi and accused Nos.1 to 3 in both the Criminal Petitions, report that they have compromised the matter through the intervention of the elders and to that effect they have also filed Joint Memos entered into by them and request the Court to record the compromise compounding the offences against the accused Nos.1 to 3 in Calendar Case No.1287 of 2015 on the file of XXIV-Metropolitan Magistrate, Kukatpally at Miyapur, and in D.V.C. No.8 of 2014 on the file of VI-Metropolitan Magistrate, Cyberabad at Medchal, respectively, and, consequently to quash the proceedings.

5. Since both the parties have affirmed the terms of the Joint Memos and request to record the compromise compounding the offences against the accused Nos.1 to 3 in both the Criminal Petitions, and to quash the proceedings as the same falls within the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹ the parties are permitted to enter into compromise by allowing Criminal Petition M.P. No.2971 of 2017 in Criminal Petition No.3020 of 2017 and Criminal Petition M.P. No.2983 of 2017 in Criminal Petition No.3037 of 2017.

6. Accordingly, both the Criminal Petitions are allowed, at the admission stage itself, quashing the proceedings against the accused Nos.1 to 3 in Calendar Case No.1287 of 2015 on the file of XXIV-Metropolitan Magistrate, Kukatpally at Miyapur, and in D.V.C. No. 8 of 2014 on the file of VI-Metropolitan Magistrate, Cyberabad at Medchal. The Joint Memos entered into by the parties in both Criminal Petitions shall form part of the record.

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

A. SHANKAR NARAYANA, J

Dt. 24.04.2017
gbs

¹ 2012 (10) SCC 303