

**HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA**

**CRIMINAL PETITION M.P. Nos.363 AND 364 OF 2017**

**IN/AND**

**CRIMINAL PETITION No.383 OF 2017**

**ORDER**

C.C. No.615 of 2015 on the file of Judicial Magistrate of First Class, Manuguru arising out of Crime No.197 of 2015 of Manuguru Police Station, Khammam District, relates to a matrimonial dispute.

2. The petitioners herein viz., Mohammed Abdul Rafeeq alias Aiyub, Noorunissa Begum, Mohammad Abdul Khaliq and Parveen Unnisa Begum, who are husband, parents and sister-in-law, respectively of the *de facto* complainant - respondent No.2 herein viz., Sana Mohammad alias Gandham Swathi, are accused Nos.1 to 4, respectively in the above Calendar Case.

3. The petitioners are represented by their counsel Mohd. Abdul Samad and the *de facto* complainant is represented by her counsel Smt. Raissa Begum.

4. The offences alleged against the petitioners are punishable under Sections 498-A of the Indian Penal Code, 1860, and Section 4 of the Dowry Prohibition Act, 1961.

5. Criminal M.P. No.363 and 364 of 2017 are filed requesting to permit the petitioners to enter into compromise and compound the offences alleged against them on the ground that respondent No.2 -

*de facto* complainant viz., Smt. Sana alias Gandham Swathi joined marital home.

6. Both parties and their respective counsel are present and the parties are identified by their respective counsel. The parties have also produced photostat copies of their “Aadhaar Cards” in proof of their identity.

7. Both parties have affirmed the contents of the Joint Memo, which is filed along with Criminal M.P. No.364 of 2017.

8. Since the offence punishable under Section 4 of the Dowry Prohibition Act, 1961, is non-compoundable, the parties moved the present criminal petition seeking to quash the proceedings.

9. It is settled law that non-compoundable offences can also be compounded under Section 482 of the Code of Criminal Procedure, 1973, as held in **Gian Singh v. State of Punjab**<sup>1</sup>.

10. Since petitioners and the *de facto* complainant affirmed the contents of the joint memo, Criminal M.P. Nos.363 and 364 of 2017 are allowed permitting the parties to compromise the alleged offences and to compound the same.

11. Accordingly, the Criminal Petition is allowed quashing the proceedings against the petitioners in C.C. No.615 of 2015 on the file

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

of Judicial Magistrate of First Class, Manuguru. 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.

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**A. SHANKAR NARAYANA, J**

**January 23, 2017.**  
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