

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.2140 AND 2141 OF 2017

IN/AND

CRIMINAL PETITION No.2201 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 and 2 seeking to quash the proceedings against them in Calendar Case No.616 of 2016 on the file of the Chief Metropolitan Magistrate, Hyderabad, for the offences punishable under Sections 326, 324 and 384 read with 34 IPC.

2. Criminal Petition M.P. No.2140 of 2017 is filed by the *de facto* complainant and victim, who are respondent Nos.2 and 3 in the main petition, requesting to permit the parties to compromise the matter in the aforesaid Calendar Case.

3. Criminal Petition M.P. No.2141 of 2017 is also filed by them accompanying affidavit of *de facto* complainant and a joint memo signed by both the parties, requesting to record the compromise and quash the proceedings in the aforesaid Calendar Case.

4. Petitioner No.1 and respondent No.2 in the main petition are students. Petitioner No.2 is represented by his son - petitioner No.1 on the ground that petitioner No.2 is in U.A.E. and executed a Power of Attorney in favour of petitioner No.1 and, accordingly, permission is accorded.

5. Both parties as well as their learned counsel are present and the parties are identified by their respective learned counsel, Sri Reddy Venkata Ramana and Sri A. Ravi Shankar. The parties have also produced photostat copies of their respective “Aadhaar Cards” in proof of their identity.

6. On being enquired, the parties would represent that they are neighbours and intend to live amicably henceforth by resolving the differences and disputes between them and, accordingly entered into compromise.

7. Perused the contents of affidavit and the joint memo filed by both the parties.

8. Since both the parties have entered into compromise and affirmed the contents of affidavit and joint memo, compromise is recorded as it is a small dispute between them and falls within the guidelines laid down by the Hon’ble Supreme Court in **Gian Singh v. State of Punjab**¹.

9. In view of the above circumstances, Criminal Petition M.P. Nos.2140 and 2141 of 2017 are allowed and, consequently, the present Criminal Petition is allowed quashing the proceedings against the petitioners - Accused Nos.1 and 2 in Calendar Case No.616 of 2016 on the file of the Chief Metropolitan Magistrate, Hyderabad. The joint memo filed by the parties shall form part of the record.

¹. (2012) 10 SCC 303

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

A. SHANKAR NARAYANA, J

March 20, 2017.
Mgr

