

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

Crl.P.M.P.No.6298 of 2017

IN/AND

Crl.P.No.6160 of 2017

ORDER:

Heard learned for the counsel for the petitioner/accused and the learned counsel for the 2nd respondent-defacto complainant and also learned Public Prosecutor for the 1st respondent-State.

Pending disposal of the quash petition filed by the accused of S.C.No.35 of 2015 on the file of I Additional District & Sessions Judge, Vizianagaram, for the offence under Section 363 IPC and Section 12 of POCSO Act, the accused and defacto complainant filed Crl.P.M.P.No.6298 of 2017 seeking permission to compromise the matter by compounding the offence. The learned Public Prosecutor opposed the compounding of offence saying it affects the society interest at large as the offence involves moral turpitude.

In fact, the daughter of the defacto complainant also present, she stated that they married and they are living together happily and it is a love marriage and in their wedlock a male child aged 8 months and she came with child also saying it is a voluntary compromise and compromise is essential to safeguard her future marital life.

Having regard to the above and to sub serve the ends of justice, the offence is compounded and the accused is acquitted and the bail bonds of the accused, if any shall stand cancelled.

Accordingly and in the result, both the CrI.P.M.P.No.6298 of 2017 and the criminal petition are allowed. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 02.08.2017
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