

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.3178 & 3179 OF 2017

IN/AND

CRIMINAL PETITION No.3215 OF 2017

COMMON ORDER:

Criminal Petition No.3215 of 2017 is filed by the petitioners – accused Nos.1 to 5, 8 & 9 under Section 482 of the Code of Criminal Procedure, 1973, seeking to quash the proceedings in C.C. No.105 of 2016 on the file of Additional Judicial Magistrate of First Class, Sangareddy, Medak District, for the offences punishable under Section 498-A of IPC and Sections 3 & 4 of Dowry Prohibition Act, 1961.

2. Criminal Petition M.P. No.3179 of 2017 by the 2nd respondent/*de facto* complainant, Smt. C. Niharika, under Section 320 (6) of Cr.P.C. requesting to permit her to record the compromise.

3. Criminal Petition M.P. No.3178 of 2017 by the 2nd respondent/*de facto* complainant, Smt. C. Niharika, under Section 320 of Cr.P.C. along with her affidavit, Joint Memo, dated 18.3.2017, signed and affirmed by both the parties. They request to permit them to compromise the offences and to compound the offences, and consequently to quash the proceedings against the accused Nos.1 to 5, 8 & 9 in C.C. No.105 of 2016 on the file of Additional Judicial Magistrate of First Class, Sangareddy, Medak District, stating that with the intervention of the elders, they settled the matter between

them, outside the Court and to that effect they have also filed Memorandum of Understanding dated 6.3.2017 and Special Power of Attorney, dated 20.3.2017.

4. The 2nd respondent/*de facto* complainant - Mrs. C. Niharika, , accused Nos.2 to 5 and Mothe Narender Reddy, who is accused No.3 and General Power of Attorney on behalf of accused Nos.1, 8 & 9, as well as their counsel are present and the parties are identified by their respective counsel, Sri V. Rajender Rao and Sri D. Devender Rao. The parties have produced photostat copies of their respective “Aadhaar Cards” in proof of their identity and also attested on the case bundle.

5. On being asked, the 2nd respondent/ *de facto* complainant; accused Nos.2 to 5 and Mothe Narender Reddy, who is accused No.3 and General Power of Attorney on behalf of accused Nos.1, 8 & 9, report that that they have compromised the matter at the intervention of the elders and to that effect they have also filed Joint Memo, dated 18.03.2017; Memorandum of Understanding dated 6.3.2017 entered into by them and Special Power of Attorney, dated 20.3.2017 and request the Court to record the compromise compounding the offences against the accused Nos.1 to 5, 8 & 9, and, consequently to quash the proceedings.

6. Since both the parties have affirmed the terms of the Joint Memo dated 18.04.2017; Memorandum of Understanding dated

6.3.2017, and request to record the compromise compounding the offences against the accused Nos.1 to 5, 8 & 9 and to quash the proceedings and as it is a matrimonial dispute falling 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.3178 & 3179 of 2017 are allowed.

7. Accordingly, the Criminal Petitions is allowed, at the admission stage itself, quashing the proceedings against the accused Nos.1 to 5, 8 & 9 in C.C. No.105 of 2016 on the file of Additional Judicial Magistrate of First Class, Sangareddy, Medak District. Joint Memo, dated 18.03.2017; Memorandum of Understanding dated 6.3.2017 entered into by them and Special Power of Attorney, dated 20.3.2017 shall form part of the record.

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

A. SHANKAR NARAYANA, J

Dt. 24.04.2017

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¹ 2012 (10) SCC 303