

**HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA**

**CRIMINAL PETITION M.P. No.1895 of 2017**

**IN/AND**

**CRIMINAL PETITION No.2000 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 to 5 seeking to quash the proceedings against them in the First Information Report in Crime No.723 of 2016 on the file of Madhapur P.S., Cyberabad.

2. Criminal Petition M.P. No.1895 of 2017 is filed under Section 320 (1) of the Code requesting the Court to record the compromise for the offence punishable under Section 498-A of IPC leveled against the respondents 1 to 5 herein, who are arraigned as accused Nos.1 to 5 in Crime No.723 of 2016 of Madhapur P.S., Cyberabad. The present petition is also accompanied by affidavit of the *de facto* complainant Smt. P. Shiplika, Joint Memo signed and affirmed by both the parties. Their respective counsel request to permit the parties to compromise the matter and to compound the offences, and consequently to quash the proceedings against the accused stating that with the intervention of the elders, they settled the matter between them, outside the Court, in terms of the compromise.

4. The *de facto* complainant, accused Nos.1 to 5, as well as their counsel are present and the parties are identified by their respective

counsel, Sri J.L. Babu and Sri Nalluri Madhava 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 *de facto* complainant and accused Nos. 1 to 5, report that they have compromised the matter through the intervention of the elders and to that effect they have also filed Joint Memo stating that the *de facto* complainant and the 1<sup>st</sup> petitioner, who is the husband of the *de facto* complainant, intended to lead marital life having resolved all differences between them and, therefore, they request the Court to record the compromise as per the terms in the joint memo and compound the offences against accused Nos.1 to 5, and, consequently to quash the proceedings.

6. Since both the parties have affirmed the terms of the Joint Memo and request to record the compromise compounding the offences against all the accused 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**<sup>1</sup>, more particularly, when the *de facto* complainant and the 1<sup>st</sup> accused joined together to lead matrimonial life, Criminal Petition M.P. No.1895 of 2017 is allowed recording the compromise between the parties in terms of the Joint Memo and compounding the offences against all the accused.

7. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against all the accused in Crime No.723 of 2016 of Madhapur P.S., Cyberabad. The Joint Memo entered into between 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

Dt. 07.03.2017

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

