

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. No.833 OF 2017

IN/AND

CRIMINAL PETITION No.857 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 1 to 7 - accused Nos.1 to 7 seeking to quash the First Information Report in Crime No.429 of 2016 on the file of Narayanaguda P.S., Hyderabad for the offences punishable under Sections 323, 406, 420, 341, 307, 366, 506, 120-B read with Section 34 of I.P.C.

2. Criminal Petition M.P. No.833 of 2017 is filed by the petitioner/2nd respondent/*de facto* complainant under Section 482 of the Code requesting to grant permission to enter into compromise, since non-compoundable offence is clutched against the respondents/accused No.1 to 7.

3. The 2nd respondent/de facto complainant - Habeeb Hassan Aledros @ Habeeb Hassan Al Aldroos, and the petitioners 1 to 7 - accused Nos.1 to 7 are present and identified by their respective Counsel, Shaik Rizwan Ali and Sri C. Vijaya Sekhar Reddy. The parties have produced photostat copies of their respective "Aadhaar Cards" in proof of their identity and also attested on the case bundle.

4. The *de facto* complainant, who is none other than the husband of the 3rd petitioner/3rd accused affirmed the contents of joint memo and would state that both of them lived together by resolving their differences and disputes due to the intervention of the elders.

5. Though one of the offences punishable under Section 307 of IPC, which is non-compoundable, not only in view of the law laid down by the Hon'ble Supreme Court in **Yogendra Yadav v. State of Jharkhand**¹ but also in view of the fact that the matter which is a matrimonial dispute and there has been reunion between the *de facto* complainant and his wife, who is 3rd petitioner, compromise can be recorded. Accordingly, Criminal Petition M.P. Nos.833 of 2017 is allowed recording the compromise between the parties in terms of the Joint Memo and compounding the offences against all the accused.

6. Consequently, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against all the accused in the First Information Report in Crime No.429 of 2016 on the file of Narayanaguda P.S., Hyderabad. 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.

A. SHANKAR NARAYANA, J

Dt. 10.03.2017
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¹ 2014 CRI. L. J. 3935