

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.1728 AND 1729 OF 2017

IN/AND

CRIMINAL PETITION No.1787 OF 2017

COMMON ORDR:

The present Criminal Petition is filed by the petitioner under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.), seeking to quash the proceedings in Crime No.676 of 2016, dated 12.09.2016 of Uppal Police Station, Cyberabad, for the offences punishable under Sections 384 and 506 of the Indian Indian Penal Code, 1860 (IPC).

2. Criminal Petition M.P. Nos.1728 and 1729 of 2017 are filed under Sections 320(2) and 320(6) of Cr.P.C., respectively, by the *de facto* complainant, who is respondent No.2 in the Criminal Petition, along with her affidavit and Joint Memo, dated 20.02.2017, signed and affirmed by both parties and their respective counsel, requesting to permit the parties to compromise the matter and to compound the offences, and consequently to quash the proceedings against the petitioner stating that with the intervention of the elders, they settled all the disputes and difference between them, outside the Court.

3. The *de facto* complainant viz., Ms. Raja Rajeshwari, her counsel Sri Ram Das Lavadia, the petitioner viz., Ch. Raj Kumar, and his counsel Sri Malipeddi Srinivas Reddy, are present and the parties

are identified by their respective counsel. The parties have also produced photostat copies of their respective “Aadhaar Cards” in proof of their identity and also attested on the case bundle.

4. On being asked, the *de facto* complainant and the petitioner report that they have compromised the matter with the intervention of the elders and that the *de facto* complainant, along with her mother, is residing at the residence of the petitioner and to that effect they have also filed the Joint Memo referred to above, and, request the Court to record the compromise, compounding the offences against the petitioner, and, consequently to quash the proceedings.

5. Since the offences alleged are non-compoundable, the parties moved the present criminal petition seeking to quash the proceedings as it is settled law that non-compoundable offences can also be compounded under Section 482 of the Code of Criminal Procedure, 1973, as held by the Hon’ble Supreme Court in **Gian Singh v. State of Punjab**¹.

6. Since both parties have affirmed the terms of the Joint Memo referred to above, more particularly, as the *de facto* complainant and her mother are residing along with the petitioner in his premises, and request to record the compromise compounding the offences and to quash the proceedings against the petitioner, Criminal Petition M.P. Nos.1728 and 1729 of 2017 are allowed recording the

¹ 2012 (10) SCC 303

compromise between the parties and compounding the offences alleged against the petitioner, in terms of the Joint Memo.

7. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against the petitioner in Crime No.676 of 2016 of Uppal Police Station, Cyberabad. The Joint Memo referred to above, shall form part of the record.

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

March 15, 2017.
PV

A. SHANKAR NARAYANA, J

