

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. No.1338 OF 2017

IN/AND

CRIMINAL PETITION No.362 OF 2017

COMMON ORDR:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the accused viz., Gurram Shekar Reddy seeking to quash the proceedings in S.C. No.100 of 2016 on the file of VII Additional District and Sessions Judge - cum - Special Judge for trial of the cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, Ranga Reddy District Court at L.B. Nagar for the offences punishable under Section 3(ii) (x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Sections 323 and 506 of the Indian Penal Code, 1860.

2. Criminal Petition M.P. No.1338 of 2017 is filed by the *de facto* complainant Tulasigari Ganesh, who is respondent No.2 in the Criminal Petition, along with his affidavit, compromise petition and Joint Memo, dated 10.02.2017, signed and affirmed by both parties and their respective counsel, requesting to permit the parties to compromise the matter and consequently to quash the proceedings against the petitioner stating that with the intervention of the elders, they settled the matter between them, outside the Court, in terms of the joint memo.

3. The *de facto* complainant and the petitioner as well as their counsel are present and the parties are identified by their respective counsel, Sri P.S.P. Suresh Kumar and Sri Ch. Madhava Raman. 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 by settling all the disputes and differences between them in terms of the compromise and to that effect they also filed a Joint Memo dated 10.02.2017, and request the Court to record the compromise and consequently to quash the proceedings against the petitioner.

5. Though, the offence punishable under Section 3(ii) (x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 is 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 in **Gian Singh v. State of Punjab**¹.

6. Since both parties have affirmed the terms of the compromise petition and the Joint Memo dated 10.02.2017,

requesting to record the compromise and to quash the offences alleged against the petitioner, and in view of the decision of the Hon'ble Supreme Court in **Gian Singh**¹, Criminal Petition M.P. No.1338 of 2017 is allowed recording the compromise between the parties in terms of the compromise and the Joint Memo, referred to above.

7. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against the petitioner in S.C. No.100 of 2016 on the file of VII Additional District and Sessions Judge - cum - Special Judge for trial of the cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, Ranga Reddy District Court at L.B. Nagar. 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.

A. SHANKAR NARAYANA, J

February 20, 2017.
PV

¹ 2012 (10) SCC 303