

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.2478 & 2479 OF 2017

IN/AND

CRIMINAL PETITION No.2515 OF 2017

COMMON ORDER:

Criminal Petition No.2515 of 2017 is filed by the petitioner/accused No.1 under Section 482 of the Code of Criminal Procedure, 1973 seeking to quash the proceedings in S.S.C. No.16 of 2009 on the file of Special Sessions Judge for trial of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act Cases, Warangal, for the offences punishable under Sections 3 (v) (xv), 3 (2) (v) (vii) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Criminal Petition M.P. No.2478 of 2017 is filed by the 2nd respondent/*de facto* complainant, Sri K. Karunakar, under Section 320 (6) of Cr.P.C. to permit him to enter into compromise with the petitioner - accused No.1 in the aforesaid Case.

3. Criminal Petition M.P. No.2479 of 2017 is filed by the 2nd respondent/*de facto* complainant, Sri K. Karunakar, under Section 320 of Cr.P.C. along with his affidavit, Joint Memo signed and affirmed by both the 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 accused No.1

stating that with the intervention of the elders and well-wishers the matter has been amicably settled.

4. The *de facto* complainant – K. Karunakar, accused No.1- P. Sadaiah, as well as their counsel are present and the parties are identified by their respective counsel, Sri B. Muralidhar and Sri S. Chalapathi 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. Sri K. Karunakar, Advocate, filed a private complaint before the Competent Court against the accused Nos.1 to 8 under Section 200 of Cr.P.C., which was referred to the Station House Officer, K.U.C. Police Station, Warangal, who reported as 'false' and that he filed Protest petition which was numbered as P.R.C. No.19 of 2008 and made over to the Special Sessions Judge for trial of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act Cases, Warangal, for the offences punishable under Sections 3 (v) (xv), 3 (2) (v) (vii) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. It appears that against the accused Nos.2 to 8 quashment of the proceedings on account of the compromise entered into vide Criminal Petition No.12662 of 2013, dated 7.11.2013. *De facto* complainant also stated that proceedings against A2 to A8 are quashed on account of compromise.

6. On being asked, 2nd respondent/*de facto* complainant in the Criminal Petition and accused No.1 report that with the intervention of the elders and well-wishers the matter has been amicably settled.

7. Since both the parties have affirmed the terms of the Joint Memo and request to record the compromise compounding the offences against the accused No.1 and to quash the proceedings, as the same falls within the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹, Criminal Petition M.P. Nos.2478 & 2479 of 2017 are allowed recording the compromise between the parties in terms of the Joint Memo and compounding the offences against the accused No.1.

8. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the proceedings against the accused No.1 in S.S.C. No.16 of 2009 on the file of Special Sessions Judge for trial of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act Cases, Warangal. The Joint Memo entered into by the parties, 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
gbs

¹ 2012 (10) SCC 303