

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.2976 & 2977 OF 2017

IN/AND

CRIMINAL PETITION No.3026 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 petitioner - accused seeking to quash the Crime No.50 of 2017 of Ghattu (M) Police Station, Gadwal District, registered for the offences punishable under Sections 447, 323 I.P.C. and Section 3(i)(s) of S.Cs. & S.Ts. (PoA) Act.

2. Criminal Petition M.P. No.2976 of 2017 is filed under Section 320 (6) of the Code requesting to permit the de facto-complainant to enter into compromise with the petitioner – sole accused.

3. Criminal Petition M.P. No.2977 of 2017 is filed under the same provision requesting to compound the offence quashing the proceedings.

4. Both parties as well as their learned counsel are present and the parties are identified by their respective learned counsel, Sri G.Vijaya Saradhi and Sri T.Srinivaa Rao. The parties have also showed their respective original aadhaar cards and produced photostat copies of the same in proof of their identity.

5. Learned counsel on either side would submit that the petitioner - accused and the 1st respondent - de facto-complainant are adjacent owners and to purchase peace, at the intervention of elders of the

village, they entered into compromise and the matter was settled amicably.

6. Perused the affidavit and the joint memo signed by both the parties. The petitioner – accused and respondent No.1 - *de facto* complainant entered into compromise concerning the aforesaid offences.

7. Since both the parties have entered into compromise and affirmed the contents of affidavit filed by the *de facto* complainant, compromise is recorded as the dispute falls within the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹.

8. In view of the above circumstances, Criminal Petition M.P. Nos.2976 & 2977 of 2017 are allowed and, consequently, the present Criminal Petition is allowed quashing the proceedings against the petitioner - Accused in Crime No.50 of 2017 of Gattu Police Station, Jogulamba Gadwal District. The affidavit filed by the *de facto* complainant shall form part of the record.

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

A. SHANKAR NARAYANA, J

April 12, 2017

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¹. (2012) 10 SCC 303