

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. No.2598 OF 2017

IN/AND

CRIMINAL PETITION No.2637 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 - accused Nos.1 & 2 seeking to quash the First Information Report in Crime No.101 of 2016 of Bhainsa P.S., Adilabad District, for the offences punishable under Sections 294(b), 324, 384, 506 read with Section 34 of I.P.C.

2. Criminal Petition M.P. No.2598 of 2017 is filed under Section 320 (2) of the Code by the 2nd respondent/*de facto* complainant along with affidavit and 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 petitioners - accused Nos.1 & 2 stating that with the intervention of the elders, they settled the matter between them, outside Court, in terms of the compromise.

3. The 2nd respondent / *de facto* complainant, Sri L. Sudershan, accused Nos.1 & 2 – Sri Naresh @ N. Naresh Babu and Sri Kothavadala Purshotham, as well as their counsel are present and the parties are identified by their respective counsel, Sri P. Srihari

Nath and Sri N. Manohar. The parties have produced photostat copies of their respective “Aadhaar Cards” in proof of their identity and also attested on the case bundle.

4. On being asked, 2nd respondent / *de facto* complainant, Sri L. Sudershan, accused Nos.1 & 2 – Sri Naresh @ N. Naresh Babu and Sri Kothavadala Purshotham, report that they have entered into compromise at the instance of the elders and living amicably, and discharging their functions as respective Police Officers. None of the offences are grave in nature and certain offences are non-compoundable. Following the guidelines laid down in by the Hon’ble Supreme Court in **Gian Singh v. State of Punjab**¹, and more particularly, the 2nd respondent/*de facto* complainant working as A.R. Constable and the petitioners 1 & 2 – accused Nos.1 & 2 are working as Sub-Inspector of Police and Inspector of Police respectively in Police Department, permission is granted to compromise the matter as the *de facto* complainant expressed that he has no grievance of any kind against the petitioners 1 & 2 – accused Nos.1 & 2, and, consequently Criminal Petition M.P. No.2598 of 2017 is allowed

5. Accordingly, the Criminal Petition is allowed, at the admission stage itself, quashing the First Information Report in Crime No.101 of 2015 of Bhainsa P.S., Adilabad District. 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. 28.03.2017
gbs

¹ 2012 (10) SCC 303

