

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. No.2241 OF 2017

IN/AND

CRIMINAL PETITION No.9150 OF 2014

COMMON ORDR:

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.2 and 3 seeking to quash the First Information Report in Crime No.118 of 2013 of Chilakalapudi Police Station, Machilipatnam, Krishna District, for the offence punishable under Section 498A IPC.

2. Criminal Petition M.P. No.2214 of 2017 is filed by the petitioners seeking permission of the Court to compound the offence punishable under Section 498A IPC in the aforesaid Crime.

3. Both parties as well as their learned counsel are present and the parties are identified by their respective learned counsel, Sri K. Sarvabhouna Rao and Sri V. Raghu. The parties have also produced photostat copies of their respective "Aadhaar Cards" in proof of their identity.

4. On being enquired, the *de facto* complainant expressed no grievance against the petitioners.

5. The learned counsel on either side would submit that accused No.1, who is husband of *de facto* complainant, in the

aforesaid Crime has filed Criminal Petition No.7689 of 2013, which is pending in other Court, and the matter has been compromised and that payment of Rs.7,00,000/- through demand draft was recorded. Therefore, it obviates recording the said fact in the present petition.

6. Since both the parties have entered into compromise and affirmed the contents of affidavits and joint memo and also in view of the compromise recorded so far as accused No.1 and *de facto* complainant are concerned, compromise is recorded as it is a matrimonial dispute and falls within the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹.

7. In view of the above circumstances, Criminal Petition M.P. No.2241 of 2017 is allowed and, consequently, the present Criminal Petition is allowed quashing the proceedings against the petitioners - Accused Nos.2 and 3 in Crime No.118 of 2013 of Chilakalapudi Police Station, Machilipatnam, Krishna District. The joint memo filed by the parties 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

March 23, 2017.
Mgr

¹. (2012) 10 SCC 303