

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRL.P.MP.No. 11679 & 11680 OF 2017
IN/AND
CRIMINAL PETITION NO.10494 OF 2017

ORDER:

CRL.P.MP.No. 11679 & 11680 OF 2017

These miscellaneous petitions are filed under Sections 320 & 320(6) of Cr.P.C seeking permission to record compromise and compound the offences in Crime No.465 of 2017 for the offences punishable under Sections 354, 354D, 341, 365, 323, 509 r/w 34 IPC, 3(1)(i), 3(1)(s), 3(1)(w)(ii)(x) of SC/ST (POA) Act

The petitioner and respondents 2 & 3 are present and they are identified by their respective counsels and produced Photostat copies of Aadhar cards to prove their identity.

A joint memo of compromise dated 30.10.2017 is filed. When terms of compromise are explained in vernacular language, they are admitted to be true and correct Further, it is now submitted that, petitioner and respondents 2 & 3 voluntarily entered into compromise due to intervention of elders and well-wishers and they wanted to lead peaceful life.

Learned counsel for the petitioner relied on the judgment of Supreme Court in **Narinder Singh v. State of Punjab**¹ wherein, the Apex Court held as follows:

“33. In the present case, FIR No.121 dated 14.7.2010 was registered under Section 307/324/323/34 IPC. Investigation was completed, whereafter challan was presented in the court against the petitioner herein. Charges have also been framed; the case is at the stage of

¹ AIR 2014 SC (Supp) 1839

recording of evidence. At this juncture, parties entered into compromise on the basis of which petition under Section 482 of the Code was filed by the petitioners namely the accused persons for quashing of the criminal proceedings under the said FIR. As per the copy of the settlement which was annexed along with the petition, the compromise took place between the parties on 12.7.2013 when respectable members of the Gram Panchayat held a meeting under the Chairmanship of Sarpanch. It is stated that on the intervention of the said persons/Panchayat, both the parties were agreed for compromise and have also decided to live with peace in future with each other. It was argued that since the parties have decided to keep harmony between the parties so that in future they are able to live with peace and love and they are the residents of the same village, the High Court should have accepted the said compromise and quash the proceedings.”

In view of the law declared in the above judgment, to maintain peace and harmony between the parties, I find that the compromise is voluntary, in the interest of both parties and permission is granted to compound the offence. Hence, compromise is recorded in terms of the joint memo filed along with this petition. Accordingly, these petitions are ordered.

Crl.P.NO.10494 OF 2017

In view of the orders passed by this Court in CRL.P.MP.No. 11679 & 11680 OF 2017, this criminal petition is allowed.

Consequently, miscellaneous applications pending if any, shall also stand closed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Date:03.11.2017

SP