

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

Crl.P.M.P.Nos.11439 and 11440 of 2017

IN/AND

CRIMINAL PETITION NO.10164 OF 2017

ORDER:

Crl.P.M.P.Nos.11439 and 11440 of 2017

These miscellaneous petitions are filed under Section 320 (2) read with 482 of Criminal Procedure Code (for short "Cr.P.C.") seeking leave to compromise the case and compound the offences punishable under Sections 417, 420, 498-A, 406, 354 and 506 read with 34 of Indian Penal Code (for short "I.P.C.") and under Section 156 (3) of Cr.P.C. and under Sections 3, 4 and 6 of Dowry Prohibition Act, as the matter is settled outside the Court and they entered into compromise and filed joint memo to that effect.

Petitioner No.1/accused No.1 in the main petition is presently residing at Canada and he is represented by his father & General Power of Attorney – Shaik Rafeeuddin, petitioner No.5/accused No.5, and filed validated power of attorney. Hence, Petitioner No.5 is permitted to represent the petitioner No.1/accused No.1.

Complainant and the petitioner Nos.2 to 6/ accused No.2 to 6 are also present and they are identified by their counsel and Public Prosecutor, produced Photostat copies of aadhar cards in proof of their identity. When terms and conditions of compromise are explained in vernacular language, they are admitted to be true and correct.

On enquiry the parties stated that they settled the issue outside the Court due to intervention of elders and well-wishers

and they intend to lead peaceful life and today, learned counsel for the petitioners handed over demand draft No.243615 for Rs.10,00,000/- dated 13.12.2017 issued by State Bank of India, D.C.Office Road branch, Bidar to the defacto complainant in open Court and the defacto complainant accepted the same towards full and final settlement.

The offence punishable under Section 498-A of I.P.C. though not compoundable, it can be compounded with the permission of the Court.

In view of the close relationship between the parties and as the offence committed by the petitioners is not against the society and the compromise is voluntary, I find that it is a fit case to grant permission to compound the offence. Hence, compromise is recorded in terms of the joint memo filed along with the petition. Accordingly, the petition is ordered.

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In view of the orders passed in Crl.P.M.P.Nos.11439 and 11440 of 2017, the present petition is allowed in terms of the joint compromise memo filed by both parties. No costs.

Registry is directed to annex a copy of the joint memo filed by both parties, to this order.

Consequently, miscellaneous applications pending if any, shall stand dismissed.

JUSTICE M. SATYANARAYANA MURTHY

26.12.2017
Ksp