

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION M.P. Nos.3315 & 3316 OF 2017

IN/AND

CRIMINAL PETITION No.4191 OF 2016

AND

CRIMINAL PETITION M.P. No.3233 & 3234 OF 2017

IN/AND

CRIMINAL PETITION No.3128 OF 2017

COMMON ORDER:

Criminal Petition No.4191 of 2016 is filed by the petitioners - accused Nos.1, 3 & 4, and Criminal Petition No.3128 of 2017 is filed by accused No.2, respectively under Section 482 of the Code of Criminal Procedure, 1973, seeking to quash the proceedings in Calendar Case No.281 of 2013 on the file of XIII-Metropolitan Magistrate, Cyberabad at L.B. Nagar, for the offences punishable under Sections 209, 229, 406, 423, 464 & 420 of IPC read with Section 120-B of IPC.

2. Criminal Petition M.P. No.3234 of 2017 in Criminal Petition No.3128 of 2017 and Criminal Petition M.P. No.3315 of 2017 in Criminal Petition No.4191 of 2016 are filed by the 2nd respondent/*de facto* complainant, Sri D. Ravi, who is authorized to represent Panineeya Sanskrit College Trust, vide Resolution dated 11.4.2011 passed by Managing Trustee, Sri D. N. Shastry, along with his affidavit in both the Criminal Petitions being the *de facto* complainant, requesting to permit the parties to compromise the matter, and to compound the offences, and consequently to quash the

proceedings against the accused Nos.1, 3 & 4 in Criminal Petition No.4191 of 2016 and accused No.2 in Criminal Petition No.3128 of 2017 stating that with the intervention of the elders, they settled the matter between them, outside Court, in terms of Memorandum of Understanding dated 30.7.2016.

3. Criminal Petition M.P. No.3233 of 2017 in Criminal Petition No.3128 of 2017 and Criminal Petition M.P. No.3316 of 2017 in Criminal Petition No.4191 of 2016 are filed by the 2nd respondent/*de facto* complainant, Sri D. Ravi, who is authorized to represent Panineeya Sanskrit College Trust, vide Resolution dated 11.4.2011 passed by Managing Trustee, Sri D. N. Shastry, along with his affidavit in both the Criminal Petitions being the *de facto* complainant, Joint Memo signed and affirmed by both parties, requesting to permit the parties to compromise the matter, and to compound the offences, and consequently to quash the proceedings against the accused Nos.1, 3 & 4 in Criminal Petition No.4191 of 2016 and accused No.2 in Criminal Petition No.3128 of 2017 stating that with the intervention of the elders, they settled the matter between them, outside Court, in terms of Memorandum of Understanding dated 30.7.2016.

4. The *de facto* complainant, accused Nos.1, 3 & 4 in Criminal Petition No.4191 of 2016 and accused No.2 in Criminal Petition No.3128 of 2017, as well as their counsel are present and the parties are identified by their respective counsel, Sri A. Venkatesh and

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

5. On being asked, the 2nd respondent/*de facto* complainant, accused Nos.1, 3 & 4 in Criminal Petition No.4191 of 2016 and accused No.2 in Criminal Petition No.3128 of 2017, report that they have compromised the matter in terms of Memorandum of Understanding dated 30.7.2016, and, consequently to quash the proceedings.

6. Since both parties have affirmed the terms of the Joint Memo and Memorandum of Understanding, dated 30.7.2016, and request to record the compromise compounding the offences against the accused Nos.1, 3 & 4 in Criminal Petition No.4191 of 2016 and accused No.2 in Criminal Petition No.3128 of 2017, as the dispute falls within the guidelines laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab**¹, and, therefore, the parties are permitted to enter into compromise by allowing Criminal Petition M.P. Nos.3315 & 3316 of 2017 in Criminal Petition No.4191 of 2016 and Criminal Petition M.P. No.3233 & 3234 of 2017 in Criminal Petition No.3128 of 2017.

7. Accordingly, both the Criminal Petitions are allowed, at the admission stage itself, quashing the proceedings against the accused

¹ 2012 (10) SCC 303

Nos.1, 3 & 4 in Criminal Petition No.4191 of 2016 and accused No.2 in Criminal Petition No.3128 of 2017, respectively, in C.C. No.281 of 2013 on the file of XIII-Metropolitan Magistrate, Cyberabad at L.B. Nagar. The Resolution dated 11.4.2011 passed by the Managing Trustee of Panineeya Sanskrit College Trust, namely, D.N. Shastry, authorizing Sri D. Ravi, who is the 2nd respondent/de facto complainant; Joint Memo and Memorandum of Understanding, dated 30.7.2016, entered into by the parties shall form part of the record.

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

Dt. 20.04.2017
gbs

A. SHANKAR NARAYANA, J

