THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

I.A.No.03 OF 2018
IN/AND
CRIMINAL PETITION NO.4676 OF 2018

ORDER:

I.A.No.03 of 2018

This miscellaneous petition is filed under Section 320 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 498-A and 420 of Indian Penal Code (for short "I.P.C.") and under Sections 3 and 4 of Dowry Prohibition Act, as the matter is settled outside the Court and they entered into compromise and filed joint memo to that effect.

Complainant and the petitioners/accused Nos.1 to 4 are present and they are identified by their counsel and Public Prosecutor. 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. Complainant further stated that the accused agreed to pay Rs.4,00,000/- towards full and final settlement and out of the said amount of Rs.4,00,000/-, accused paid Rs.2,00,000/- while agreeing to pay balance amount on the date of obtaining divorce by mutual consent.

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

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.

Crl.P.No.4676 Of 2018

In view of the orders passed in I.A.No.03 of 2018, the present petition is allowed in terms of the joint compromise memo/petition 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

24.09.2018
Ksp