

HON'BLE SRI JUSTICE P. KESHA VA RAO
CRIMINAL REVISION CASE No. 1184 of 2018

ORDER:

Heard the learned counsel for the parties.

The present criminal revision case is filed questioning the orders dated 15.02.2018 passed in CrI.M.P.No.8277 of 2017 in C.C.No. 118 of 2018, on the file of the Court of the IV Additional Junior Civil Judge-cum-XXV Metropolitan Magistrate, Cyberbad, Kukatpally for taking the cognizance of the offences under Sections 417, 420, 465, 467, 471 r/w 34 IPC against the petitioners.

During pendency of the criminal revision case, I.A.No 3 of 2018 has been filed seeking permission of this Court to compound the offences against the petitioners and to set aside the orders passed in CrI.M.P.No.8277 of 2017 in the above said crime. Similarly, an application in I.A.No. 4 of 2018 has been filed to record the compromise in terms of the joint memo filed in the Court and to set aside the orders passed in CrI.M.P.No.8277 of 2017. In the affidavit filed in support of the applications, it is mentioned that due to misunderstanding and differences as to the relevance of the documents between the parties arising out of sale transaction, the criminal case has been filed and in fact, it is arising out of a private and a personal dispute. It is nothing to do with the society at large. Further, the transaction in question is purely civil in nature. The learned counsel appearing for the parties, would contend that in the light of the judgment of the Apex Court in GIAN SINGH v. STATE OF PUNJAB AND ANOTHER¹, it is observed that since the matters are purely civil in nature and when it is between the parties without affecting the society at large, the offences can be compounded.

Per contra, the learned Public Prosecutor appearing for the first respondent-State also submitted that since the transaction in question is purely civil in nature relating to a land dispute, the offences can be compounded.

The xerox copies of the adhaar cards produced as I.D. proof are made part of the record.

Having heard both the learned counsel and in the light of the averments made in the affidavit filed in support of the applications, as

¹ 2012(10) SCC 303

well as the joint memo filed between the parties, I.A.No.3 of 2018 and I.A.No. 4 of 2018 are ordered.

In the light of the orders passed in I.A.No.3 of 2018 and I.A.No. 4 of 2018, the criminal revision case is allowed setting aside the orders dated 15.02.2018 passed in CrI.M.P.No.8277 of 2017 in C.C.No. 118 of 2018, on the file of the Court of the IV Additional Junior Civil Judge-cum-XXV Metropolitan Magistrate, Cyberbad, Kukatpally.

Since the dispute in question between the parties is also settled, no useful purpose will be served in continuing the proceedings before the Court below. This Court exercising the inherent powers under Section 482 Cr.P.C., though the impugned proceedings are under challenge, in the interest of justice, can close the proceedings keeping in view the settlement arrived at between the parties, and the joint memo filed before this Court.

Accordingly, the proceedings initiated against the petitioners in C.C.No. 118 of 2018, on the file of the Court of the IV Additional Junior Civil Judge-cum-XXV Metropolitan Magistrate, Cyberbad, Kukatpally are hereby quashed.

Miscellaneous petitions, if any, pending in this criminal revision case shall stand closed.

Date:03.08.2018
ccm

P. KESHAVA RAO,J



HONOURABLE SRI JUSTICE P. KESHA VA RAO



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ccm