

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.5940 OF 2018

ORDER:

This criminal petition is filed under Section 482 of Criminal Procedure Code (for short "Cr.P.C.") to quash the C.C.No.464 of 2015 on the file of I Additional Chief Metropolitan Magistrate, Vijayawada, Krishna District.

Learned counsel for the petitioner submitted that the matter was settled amicably outside the Court and the proceedings against the accused Nos.1 and 3 in C.C.No.464 of 2015 were already quashed vide order dated 21.08.2017 passed in CrI.P.No.3443 of 2017 and requested this Court to allow the petition and quash the proceedings against the petitioner herein/accused No.2.

As the proceedings against the prime accused No.1 and accused No.3 already quashed vide orders in CrI.P.No.3443 of 2017, the proceedings against the petitioner herein/accused No.2 are also liable to be quashed. Moreover, due to the settlement between the parties, even if the matter went on trial, chances to convict the accused are bleak. Therefore, this Court can exercise power under Section 482 of Cr.P.C. in such circumstances.

In the result, the petition is allowed. The proceedings in C.C.No.464 of 2015 on the file of I Additional Chief Metropolitan Magistrate, Vijayawada, Krishna District are hereby quashed. No costs.

Consequently, miscellaneous petitions pending, if any, shall also stand dismissed.

JUSTICE M. SATYANARAYANA MURTHY

26.07.2018

Note:

Issue C.C. today.

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