

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

I.A.No.2 OF 2018
IN/AND
CRIMINAL PETITION NO.5954 OF 2018

ORDER:

I.A.No.2 of 2018

This miscellaneous petition is filed under Section 320 (2) 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 495 of Indian Penal Code (for short "I.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.

Complainant and the petitioners/accused are also present and they are identified by their counsel and Public Prosecutor. When the 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; defacto complainant and her husband agreed to dissolve their marriage by way of Khula from appropriate authority, and that the petitioner No.1 paid an amount of Rs.2,00,000/- by way of Pay Order dated 04.05.2018 bearing No.427584 of United Bank of India to the defacto complainant 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 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.5954 Of 2018

In view of the orders passed in I.A.No.2 of 2018, the present petition is allowed. No costs.

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

13.06.2018
Ksp

JUSTICE M. SATYANARAYANA MURTHY

