

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

I.A.Nos.03 and 02 of 2018
IN/AND
CRIMINAL PETITION NO.6256 of 2018
&
I.A.Nos.03 and 02 of 2018
IN/AND
CRIMINAL PETITION NO.6276 of 2018

(FIR NO.169 OF 2015 on the file of Saroornagar WPS, Cyberabad)

COMMON ORDER:

I.A.Nos.03 and 02 of 2018 in CrI.P.No.6256 of 2018
&
I.A.Nos.03 and 02 of 2018 in CrI.P.No.6276 of 2018

These four Criminal Miscellaneous Petitions are filed under Sections 320(6) and 320(2) Cr.P.C. seeking leave of this Court to compound the offences punishable under Sections 498-A, 406, 506, 354(D) IPC and Section 4 and 6 of DP Act and to record compromise in C.C.No.95 of 2017 on the file of XIV Metropolitan Magistrate, Cyberabad, on the ground that during pendency of this petition, due to intervention of elders, the disputes between the parties have settled and both the parties have decided to live separately by obtaining divorce on payment of Rs.15,00,000/- towards permanent alimony to the de facto complainant and her son.

De facto complaint and the accused are present in person and they are identified by their respective counsel and they also produced the copies of Aadhar Cards in proof of their identity.

On enquiry, the parties stated that they settled the issue outside the Court due to intervention of elders and well-wishers as per the contents mentioned in the Joint Memo filed along with the petition and they intend to lead peaceful life in future by obtaining divorce on payment of Rs,15,00,000/- to the de facto complainant and her son towards full and final settlement. But, the *De facto* complainant being the mother cannot waive the right of the minor

son in a summary proceedings. However, both the parties stated that the compromise is voluntary and in the interest of both parties to lead their lives happily.

As the matter settled outside the Court, if the Court insists to proceed with the trial, there is every possibility of turning the witnesses hostile. Hence, to avoid the waste of Court time, as the matter settled outside the Court, to put quietus to the dispute, I find that it is a fit case to grant permission to compound the said offences following the guidelines of Apex Court in *Parbatbhai Aahir v State of Gujarat*¹.

Accordingly, these four Petitions are allowed permitting the parties to compound the said offences and to record compromise.

CrI.P.No.6256 of 2018 & CrI.P.No.6276 of 2018

In view of the Orders passed in I.A.Nos. 03 and 02 of 2018 in CrI.P.No.6256 of 2018 and I.A.Nos. 03 and 02 of 2018 in CrI.P.No.6276 of 2018, these two Criminal Petitions are allowed and the proceedings in C.C. No. 95 of 2017 and C.C.No.295 of 2016 on the file of XIV Metropolitan Magistrate, Cyberabad at L.B.Nagar, Rangareddy District, are hereby quashed. The Registry is directed to annex a copy of the joint memo to the present petition.

As a sequel, miscellaneous petitions, if any, pending in this case, shall stand dismissed.

M. SATYANARAYANA MURTHY, J

Date: 19-06-2018

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¹ (2017) 9 SCC 641

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