

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

I.A.Nos. 1 & 2 OF 2018

IN/AND

CRIMINAL PETITION NO.7642 OF 2018

ORDER:

I.A.Nos. 1 & 2 OF 2018

These miscellaneous petitions are filed seeking permission of this Court to record compromise and compound the offences in Crime No.174 of 2018 on the file of Jogulamba Police Station, Gadwal, for the offences punishable under Section 324 r/w 34 IPC & Section 30 of Arms Act.

Both the petitioner and second respondent are present and they are identified by their respective counsels and produced Photostat copies of Aadhar cards to prove their identity.

When enquired, both the petitioner and second respondent voluntarily entered into compromise due to intervention of elders and well-wishers and they wanted to lead peaceful life in future. But, the learned Public Prosecutor for the State of Telangana opposed the petition on the ground that the punishment prescribed for the offence committed by the petitioner under Section 30 of Arms Act, is six months or fine and whereas, the other offence punishable under Section 324 r/w 34 IPC is imprisonment for three years, or with fine, or with both, which is compoundable with the leave of the Court.

Since, the parties settled the dispute amicably outside the Court and the offence is against societal interest and it is purely persona, therefore, taking into consideration the facts of the case, including the nature of offence, I deem it appropriate to grant leave to compound the offence, since the offence can be compounded by exercising power of this Court under Section 320(2) IPC.

Hence, taking into consideration the facts of the case, leave is granted to compound the offence to maintain peace and harmony between the parties. Therefore, I find that the compromise is voluntary, in the interest of both parties and permission is granted to compound the offence. Hence, compromise is recorded in terms of the joint memo filed along with this petition. Accordingly, these petitions are ordered.

Crl.P.NO.7642 OF 2018

In view of the orders passed by this Court in I.A.Nos. 1 & 2 of 2018, this criminal petition is allowed and the proceedings in Crime No.174 of 2018 on the file of Jogulamba Police Station, Gadwal, for the offences punishable under Section 324 r/w 34 IPC & Section 30 of Arms Act, are hereby quashed.

Registry is directed to annex a copy of joint memo filed by both the parties, to this order.

Consequently, miscellaneous applications pending if any, shall also stand closed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Dated:23.07.2018

SP