

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

I.A.Nos. 2 & 3 OF 2018

IN/AND

CRIMINAL PETITION NO.8667 OF 2018

ORDER:

I.A.Nos. 2 & 3 OF 2018

These miscellaneous petitions are filed seeking permission of this Court to record compromise and compound the offences in C.C.No.360 of 2017 on the file of XIII Additional Chief Metropolitan Magistrate (Mahila Court) at Hyderabad, for the offence punishable under Section 498-A & 406 IPC.

The second respondent filed a complaint before the police. On the strength of the complaint, crime was registered and the police issued F.I.R. At the crime stage, both the parties entered into compromise, settled the claims against one another and decided not to proceed against one another, thereby, resolved the dispute amicably.

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 terms of compromise are explained in vernacular language, they are admitted to be true and correct. Further, it is now submitted that, petitioner and second respondent have voluntarily entered into compromise due to intervention of elders and well-wishers and they wanted to lead peaceful life in future.

The offence punishable under Section 406 IPC, though not compoundable, it can be compounded with the permission of the Court. Moreover, the Apex Court in **Narinder Singh v. State of Punjab**¹ issued guidelines to quash the proceedings in cases where the offences involved are non-compoundable.

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 these petitions. Accordingly, these petitions are ordered.

CrI.P.NO.8667 OF 2018

In view of the order passed by this Court in I.A.Nos. 2 & 3 of 2018, this criminal petition is allowed and the proceedings against the petitioner in C.C.No.360 of 2017 on the file of XIII Additional Chief Metropolitan Magistrate (Mahila Court) at Hyderabad, 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

Date: 10.08.2018
SP

¹ (2014) 6 SCC 466