

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

I.A.No.1 of 2018 in CrI.P.No.11476 of 2015

and

CrI.P.No.11476 of 2015

COMMON ORDER:

The *defacto* complainant/2nd respondent and his counsel Mr. P. Rajendra Krishna, are present. Petitioners/A1 & A2 and their counsel Sri K. Papi Reddy are present. Both the parties are identified by their respective counsel.

- 2) Heard both sides and perused the petitions.
- 3) The *defacto* complainant filed a complaint and the same was registered as Crime No. 6/2010 of Cyber Crimes Police Station, CID, Hyderabad and after investigation charge sheet was filed against A1 & A2 and case was registered as C.C.No. 631/2012 on the file of VI Additional Chief Metropolitan Magistrate, Hyderabad.
- 4) At this stage, A1 & A2 filed CrI.P.No.11476 of 2015 before this Court seeking to quash the proceedings against them in C.C.No.631/2012.
- 5) Pending the Criminal Petition, both parties filed I.A.No.2 of 2018 seeking permission of this to compound the offences alleged in C.C.No.631/2012. In the said I.A, it was mentioned that both parties have amicably settled all their disputes at the intervention of elders and they are proposing to compound the offences involved in C.C.No.631/2012 and hence permission may be granted to them.

6) It is seen that the offences under Section 468 IPC and Section 66 D of the Information Technology (Amendment) Act, 2008 are not compoundable and Section 420 IPC is a compoundable one.

7) Today, when enquired, the de-facto complainant by filing a joint memo stated that he has no objection for compounding the offence. The allegations made in the charge sheet will have no impact on the society and further no useful purpose will be served by referring him to the trial. Considering it and also the decision reported in *Gian Singh v. State of Punjab and another*¹, I.A.No.2 of 2018 is allowed and the parties are permitted to compound the offences involved in Crime No.631 of 2012 of Cyber Crimes Police Station, CID, Hyderabad. Consequently, the Criminal Petition No.11476 of 2015 is allowed and the proceedings against petitioners/A1 & A2 in the said Crime No. 631 of 2012 are quashed and accordingly, they are acquitted. It is made clear that the trial in CC No. 631 of 2012 can be preceded as against other accused.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

U.DURGA PRASAD RAO, J

Date: 27.04.2018
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¹ (2012) 10 SCC 303