

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

I.A.No.02 OF 2018
IN/AND
CRIMINAL PETITION NO.9643 OF 2018

ORDER:

I.A.No.02 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 354 (C), 506 and 509 of Indian Penal Code (for short "I.P.C.") and under Section 3 (1) (r) (s) (w) and 3 (2) (Va) of S.Cs. and S.Ts (POA) Act, as the matter is settled outside the Court and they entered into compromise and filed joint memo to that effect.

Complainant and the petitioner/accused are present and they are identified by their counsel and Public Prosecutor. When 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 and they intend to lead peaceful life.

The offence punishable under S.Cs. and S.Ts. (POA) Act though not compoundable, it can be compounded with the permission of the Court and the bar under Section 18 of the S.Cs. and S.Ts. (POA) Act will not come in the way when the parties entered into compromise.

As the offence committed by the petitioner 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.

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In view of the orders passed in I.A.No.02 of 2018, the present petition is allowed in terms of the joint compromise memo filed by both parties. No costs.

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

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

JUSTICE M. SATYANARAYANA MURTHY

10.09.2018
Ksp