

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

I.A. No.1 OF 2018

IN/AND

CRIMINAL PETITION No.10922 OF 2018

COMMON ORDER:

The main Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Code'), is filed by the petitioners - accused Nos.1 to 11, to quash the proceedings against them in Crime/FIR No.174 of 2016, dated 13.10.2016, on the file of Cherial Police Station, Siddipet District, Telangana State, registered for the offences punishable under Sections 323, 324, 506 and 294 of the Indian Penal Code, 1860 (for short 'IPC') and Section 3 (1) (r) (s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (for short 'Act, 2015').

2. The petitioners herein are accused Nos.1 to 11 in the aforesaid Crime, and respondent No.2 is the *de facto* complainant. Both parties entered into compromise and filed I.A. No.1 of 2018 to permit them to enter into compromise and to compound the offences by recording the compromise.

3. The petitioners - accused and respondent No.2 - *de facto* complainant are present and they are identified by their respective counsel and produced Photostat copies of Aadhar Cards in proof of their identity. When the terms and conditions of compromise are explained in vernacular language, they admitted to be true and correct.

4. On enquiry, the parties stated that they entered into compromise with the intervention of elders and well-wishers to maintain harmony in the village as they belong to same village, and compromised the issue voluntarily.

5. Except the offence punishable under Section 3 (1) (r) and (s) of Act, 2015, other offences are bailable offences, and the bar under Section 18 of the Act, 2015 will not come in the way when the parties entered into compromise.

6. As seen from the allegations made in the complaint, though they constitute an offence punishable under Section 3 (1) (r) and (s) of Act, 2015, as the parties entered into compromise voluntarily, even if the investigation is taken up, chance of conviction is weak and, therefore, to avoid unnecessary waste of time to the Courts and parties, besides expenditure to the parties, I deem it appropriate to permit the parties to enter into compromise and to compound the offences by exercising power under Section 482 of the Code and also by applying principles laid down in **Gian Singh v. State of Punjab**¹. Hence, compromise is recorded in terms of joint memo filed along with the petition.

7. Accordingly, I.A. No.1of 2018 is allowed. Consequently, the present Criminal Petition is also allowed quashing the proceedings against accused Nos.1 to 11 in Crime/FIR No.174 of 2016, dated

¹ (2012) 10 SCC 303

13.10.2016, on the file of Cherial Police Station, Siddipet District, Telangana State.

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

Consequently, Miscellaneous Petitions, if any, pending in the present Criminal Petition, stand closed.

M. SATYANARAYANA MURTHY, J

October 12, 2018
Mgr

