

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

I.A.No.3 of 2018 in Crl.P.No.11235 of 2017

and

Crl.P.No.11235 of 2017

COMMON ORDER:

The *defacto* complainant and her counsel Sri Mummaneni Srinivasa Rao, are present. Accused Nos.2 and 3 and their counsel Sri M. Ajay Kumar, are present. Both the parties are identified by their respective counsel.

- 2) Heard both sides and perused the petitions.
- 3) The *defacto* complainant gave report to Police of Malkajgiri PS, which was registered as case in Crime No.676/2016 and after investigation charge sheet was laid for the offences under Sections 420, 493, 376, 448, 506 r/w 34 IPC and Sec. 3(2) (v), 3(1) (i) (r) (s) of SC, ST (POA) Act, 2015 against A.1 to A.3.
- 4) The brief allegations in the charge sheet are that the *defacto* complainant belongs to SC (Mala) community, A.1 belongs to Muslim community and A.2 and A.3 are his sisters. While the complainant was studying B.Com Final Year, she got introduced to A.1, who was staying opposite to their house and they both used to meet very often. While-so, A.1 insisted the complainant to love him and thus love developed between them and thereafter A.1 on the false promise of marrying her, induced her to have sexual intercourse with him. In August, 2016, he took the complainant to his cousin's house

at Warasiguda and had sexual intercourse with her on the promise of marrying her. As a result, the complainant conceived pregnancy. Thereafter, when she asked him to marry her, he refused. The issue was taken to the notice of the parents of A.1, on which A.2 and A.3, who are the sisters of A.1, went to the house of complainant in her absence and abused LWs.2 and 3, who are parents of complainant in a filthy language in the name of their caste and also assaulted them and threatened them. The charge sheet was taken cognizance and registered as S.C No.166/2017 by the VII Addl. Sessions Judge for SC & ST (POA) Act cases at L.B.Nagar, Ranga Reddy District.

5) While-so, the *defacto* complainant and petitioners/A.2 and A.3 filed I.A.Nos.3 and 4 of 2018 seeking permission of this Court to compound the offences so far as petitioners/A.2 and A.3 are concerned with the *defacto* complainant.

6) Today, this Court when enquired the *defacto* complainant and her mother—Smt. Mery, both of them stated that they have no objection for compounding the offences with A.2 and A.3 and consequently, quashing the proceedings in S.C.No.166/2017 on the file of the VII Addl. Sessions Judge for SC & ST (POA) Act cases at L.B.Nagar, Ranga Reddy District, against them. It is seen that as per charge sheet the main accusation is against A.1 only. The accusation against A.2 and A.3 is that when the *defacto* complainant brought to their notice about the misdeeds of A.1, they went to the house of complainant and in her absence abused LWs.2 and 3, who are the

parents of *defacto* complainant in a filthy language touching their caste and assaulted and threatened them. Having regard to the nature of the accusations against petitioners/A.2 and A.3, this Court is of the view that they are not grave offences and having no repercussions on the society and therefore permission can be granted to them.

7) With the above observations, I.A.No.3 of 2018 is allowed and the parties are permitted to compound the offences involved in S.C.No.166/2017 on the file of the VII Addl. Sessions Judge for SC and ST (POA) Act cases at L.B.Nagar, Ranga Reddy District. Consequently, Criminal Petition No.11235 of 2017 is allowed and the proceedings against the petitioners/A.2 and A.3 in the said S.C.No.166/2017 are quashed and accordingly, they are acquitted.

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

U.DURGA PRASAD RAO, J

Date: 26.04.2018
scs