

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

I.A.Nos. 1, 2 & 3 OF 2017
IN/AND
CRIMINAL PETITION NO.11276 OF 2017

ORDER:

I.A.Nos. 1, 2 & 3 OF 2017

These miscellaneous petitions are filed seeking permission of this Court to record compromise and compound the offences in C.C.No.292 of 2016 on the file of Judicial First Class Magistrate (Mobile Court), Nizamabad, for the offences punishable under Sections 290, 323, 341, 380, 457, 494 & 506 r/w 149 IPC.

The second respondent/defacto complainant lodged private complaint before the Judicial First Class Magistrate (Mobile Court), Nizamabad, for the offences referred supra, as the police did not take any action on her complaint. Thereby, the Court below took cognizance of the offences punishable under Sections 290, 323, 341, 380, 457, 494 & 506 r/w 149 IPC and issued summons to the petitioners. Further, it is stated that the second respondent/complainant filed FCOP No.59 of 2013 on the file of Senior Civil Judge, Sangareddy and the first petitioner/A-1 and the second respondent/ complainant settled their disputes vide memorandum of understanding dated 04.11.2013 and the first petitioner/A-1 also paid an amount of Rs.6,00,000/- towards permanent alimony to the second respondent/complainant. A decree of divorce was also passed on 22.04.2014, dissolving the marriage between first petitioner/A-1 and the second respondent/ complainant.

Both the petitioners and second respondent are present and they are identified by their respective counsels and produced Photostat copies of Aadhar cards to prove their identity. Joint memo is also filed along with these petitions and when terms of compromise are explained in vernacular language, they are admitted to be true and correct. Further, it is now submitted that, petitioners and second respondent voluntarily entered into compromise due to intervention of elders and well-wishers and they wanted to lead peaceful life in future.

Hence, taking into consideration the facts of the case, leave is granted to compound the offences 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 offences. Hence, compromise is recorded in terms of the joint memo filed along with this petition. Accordingly, these petitions are ordered.

CrI.P.NO.11276 OF 2017

In view of the orders passed by this Court in I.A.Nos. 1, 2 & 3 of 2017, this criminal petition is allowed and the proceedings in C.C.No.292 of 2016 on the file of Judicial First Class Magistrate (Mobile Court), Nizamabad, for the offences punishable under Sections 290, 323, 341, 380, 457, 494 & 506 r/w 149 IPC., are hereby quashed.

Consequently, miscellaneous applications pending if any, shall also stand closed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Date: 20.06.2018

SP

