

SMT JUSTICE T.RAJANI

I.A. No.2 OF 2018

IN/AND

CRIMINAL PETITION No.12327 OF 2018

COMMON ORDER:

1. I.A. No.2 of 2018 is filed seeking permission to compound the offence and to record the compromise entered into by the parties and allow the Criminal Appeal No.143 of 2017, on the file of the Principal Sessions Judge at Khammam, by setting-aside the judgment, dated 10.08.2017, passed in Sessions Case No.148 of 2014 by the Assistant Sessions Judge at Khammam, registered for the offence punishable under Section 307 of I.P.C.

2. Heard learned counsel for the petitioner, learned Public Prosecutor, appearing for the 1st respondent – State, and learned counsel for the Respondent Nos.2 and 3.

3. The parties, together, with their respective counsel, are present in the Court and on being specifically asked, both the parties confirm the terms of compromise as recorded in the joint memo appended to the Application in I.A. No.2 of 2018.

4. The terms of the compromise show that with the intervention of elders and well wishers, the disputes between the parties regarding the case in S.C. No.148 of 2014, on the file of the Assistant Sessions Judge, Khammam; against the conviction of which Criminal Appeal No.143 of 2017 is pending on the file of the Principal Sessions Judge at Khammam, were settled amicably and a compromise was reached, wherein it was agreed, that 1st respondent - *de-facto* complainant and the 2nd respondent - victim, being father and son, have no objection to compound the offence and allow the Criminal Appeal No.143 of 2017 on the file of the Principal Sessions Judge at Khammam by setting-aside the judgment, dated 10.08.2017, passed in Sessions Case No.148 of 2014 by the Assistant Sessions Judge at Khammam. Since, I am satisfied that the aforesaid

compromise is executed by the parties out of their free will and they confirm the terms thereof, when being specifically asked, there is no impediment in recording the said compromise.

5. Accordingly, this Application is allowed.

6. In view of the above, the Criminal Petition is allowed and further proceedings against the petitioner, who is the appellant/sole accused, in Criminal Appeal No.143 of 2017 on the file of the Principal Sessions Judge at Khammam, are hereby quashed and, consequently, the judgment, dated 10.08.2017, passed in Sessions Case No.148 of 2014 by the learned Assistant Sessions Judge at Khammam, is set-aside.

7. As a sequel, miscellaneous petitions, if any, pending in this Petition shall stand closed.

Date: 19.11.2018.
Dsh



T. RAJANI, J

SMT JUSTICE T.RAJANI**556****24122018****I.A. No.2 OF 2018**
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Date.19.11.2018

DSH