

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1739 OF 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused seeking to quash the proceedings in Crime No.37 of 2019 of Adibatla Police Station, Rachakonda Commissionerate, registered for the offence alleged under Section 307 I.P.C.

2. Heard learned counsel for the petitioner/accused, learned counsel for respondent Nos.2 and 3 and the learned Additional Public Prosecutor representing respondent No.1/State. Perused the record.

3. Learned counsel for the petitioner/accused would contend that the parties have compromised the subject matter; that a civil case is given the flavour of a criminal case and relied on a decision of this Court in CrI.P.No.9655 of 2012, dated 04.01.2013.

4. As seen from the record, there are allegations against the petitioner/accused constituting the offence alleged under Section 307 I.P.C. Therefore, there is no bar to issue the F.I.R. and proceed with investigation. The offence alleged is not compoundable. Therefore, no permission can be granted to compound the offence alleged under Section 307 I.P.C. The petition is devoid of merit and is liable to be dismissed.

5. Accordingly, the Criminal Petition is dismissed.

Miscellaneous Petitions, if any, pending in this Criminal
Petition shall stand closed.

Dr. SHAMEEM AKTHER, J

March 28, 2019.
MD

