

HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.2 and 3 of 2019
In/and
CRIMINAL PETITION No.4627 of 2019

ORDER:

1) The petitioner, who is accused in Cr.No.254 of 2016 on the file of Chaitanyapuri Police Station, Cyberabad registered for the offences punishable under Sections 354-D and 506 IPC and under Section 12 of the Protection of Children from Sexual Offences Act, 2012 (for short, 'the POCSO Act'), basing on the complaint of 1st respondent/ defacto-complainant, filed this Criminal Petition under Section 482 CrPC to quash the proceedings in the above crime.

2) Both the petitioner and the defacto-complainant along with their parents present and were identified by their respective counsel. When examined they stated that they intends to compromise the matter pending criminal petition and filed petitions seeking to permit them to compromise the matter and compound the offences alleged against the accused.

3) Perused the petitions vide I.A.Nos.2 and 3 of 2019, one for permission to compromise the matter with the 1st respondent and the other to record the compromise, quash the proceedings in the above crime and acquit the accused. Along with the petition in I.A.No.3 of 2019, a joint memo signed by the parties along with their respective parents for they being minors and also by respective counsel, is filed and the respective counsel identified the signatures of all the parties and the joint memo is also

supported by the affidavit of the 1st respondent/ victim. In the joint memo it is stated that a complaint has been lodged by the defacto-complainant against the petitioner/ accused stating that both the defacto-complainant and the accused were classmates till SSC and due to acquaintance, they both started chatting for past one year and later the petitioner compelled the defacto-complainant to send her nude photos, after that he threatened to share the nude photos in the social media. Whereas, the accused sent messages to the complainant's mobile Nos.6303647279 and 8247637316 through his mobile No.9000254874. It is further stated that both the petitioner and the victim are classmates and minors. Father of the 1st respondent is working as Senior Zonal business Manager in Sanzyme Private Limited Company and both father and mother undertake to take care of their daughter and act responsibly for her well being. Father of the petitioner is a practicing Advocate in Hyderabad and also worked as Government Pleader in Ranga Reddy District, and undertake to take care of their son preventing him from doing such alleged behaviour. It is further stated that both the petitioner and the 1st respondent are minors and set goals in future to achieve and any criminal prosecution would hamper and have an adverse effect on them and parents of both the parties not inclined to prosecute petitioner in the criminal Case. It is further stated that both the petitioner and the 1st respondent have voluntarily exchanged messages for one year, however the events turned sour later out of immaturity. It is further stated that they resolved the disputes between them amicably after due

deliberations and discussions and do not want to continue criminal proceedings against the petitioner and to compromise the matter.

4) Perused the affidavit of the complainant/ victim in which, in addition to the facts in the joint memo, she stated that herself and the petitioner were counseled by their respective parents and they have future goals to achieve and the criminal proceedings would hamper their progress and her parents are not inclined to prosecute the petitioner. She further stated that lodging a complaint is a bad experience to her and caused deviation from studies, hence prays to quash the proceedings in the above crime against the petitioner.

5) Thus in view of the compromise between the parties and keeping in view the bright future of the children and the request of parents on both side, the parties are permitted to compromise the matter and compound the offences alleged and the compromise is recorded.

6) Accordingly, the I.A.Nos.2 and 3 of 2019 are allowed and the Criminal Petition is also allowed quashing the proceedings in Cr.No.449 of 2019 on the file of Chaitanyapuri Police Station, Pachakonda, against the petitioner and he is acquitted. The bail bonds of the petitioner, if any, shall stand cancelled.

7) Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE G. SRI DEVI

16.08.2019
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