

HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.3 and 4 of 2019
In/and
CRIMINAL PETITION No.4974 of 2019

ORDER:

- 1) The petitioners, who are accused Nos.1 to 5 in C.C.No.254 of 2016 on the file of the XIII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, filed this Criminal Petition under Section 482 CrPC to quash the proceedings in the above Calendar Case. A charge sheet came to be filed against the petitioners for offences punishable under Sections 498-A IPC and Sections 4 and 6 of the Dowry Prohibition Act, 1961(for short, 'the DP Act').
- 2) Both the parties are present before this Court and they were identified by their respective counsel. When examined they stated that they intend to compromise the matter pending criminal petition and filed petitions seeking to permit them to compromise the matter and compound the offences alleged against them.
- 3) Perused the petitions vide I.A.Nos.3 and 4 of 2019, one for permission to compromise the matter with the 2nd respondent and the other to record the compromise, quash the proceedings in C.C.No.254 of 2016 supra and acquit them. Along with the petition in I.A.No.3 of 2019, a joint memo signed by the parties along with their respective counsel and also an affidavit of the 2nd respondent-complainant came to be filed, stating that only on small misunderstandings between the 2nd respondent-complainant and the 1st petitioner, the 2nd respondent lodged a complaint

against the petitioners/ A.1 to A.5 though they have not committed any offences under Section 498-A, 506 IPC and Sections 4 and 6 of the DP Act. Both the 2nd respondent and the 1st petitioner have filed memorandum of agreement entered by them which is part of the record of orders of the Hon'ble Supreme Court dt.02.08.2019 made in Transfer Petitions (Civil) Nos.559 to 560 of 2018 and Transfers Petitions(Criminal) Nos.126-129 of 2018 and by virtue of which, the 2nd respondent has no objection for quashing the proceedings in the above Calendar Case against the petitioners. In the affidavit the 2nd respondent-complainant further stated that she regrets very much for filing complaint not knowing its consequences on ill-advice of some interested persons, though the petitioners have not committed any offences alleged against them. She further stated that herself and her husband/1st petitioner resolved all the disputes between them and came to an understanding to get separated from the marriage and the 1st petitioner also permitted her to take Qula from the competent authority.

4) Perused the memorandum of settlement filed by the parties by virtue of the orders of the Hon'ble Supreme Court supra which shows that a settlement arrived between the parties and the same forms part of the record.

5) Thus in view of the settlement arrived at between the parties by virtue of orders of the Hon'ble Supreme Court and the compromise petition supporting with an affidavit of the 2nd

respondent, the parties are permitted to compromise the matter and compound the offence in the above Calendar Case and the compromise is recorded.

6) Accordingly, the I.A.Nos.3 and 4 of 2019 are allowed and the Criminal Petition is also allowed quashing the proceedings in C.C.No.254 of 2016 on the file of the Court of XIII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, against the petitioners/ A.1 to A.5. The petitioners/ A.1 to A.5 are acquitted and their bail bonds, if any, shall stand cancelled.

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

16.08.2019
vvr

JUSTICE G. SRI DEVI

