

HONOURABLE JUSTICE G. SRI DEVI

I.A.NOs.2 AND 3 OF 2019

IN/AND

CRIMINAL PETITION NO.5873 OF 2019

COMMON ORDER:

The petitioners, who are accused Nos.1 and 2 in Crime No.310 of 2019 of Korutla Police Station, Jagtial District, filed this Criminal Petition under Section 482 of the Code of Criminal Procedure to quash the proceedings in the above case registered for the offences punishable under Sections 323 and 307 of the Indian Penal Code (IPC) and Section 25(1) of the Arms Act, 1969.

During pendency of the Criminal Petition, I.A.Nos.2 and 3 of 2019 came to be filed by the second respondent to record the compromise and to compound the offences. Along with the petitions, a joint memo came to be filed, *inter alia*, stating that at the intervention of elders and well wishers, the parties have settled their disputes in terms of the compromise. The said joint memo has been supported by the affidavit of the second respondent.

Today, both the parties are present before this Court and they were identified by their respective counsel. This Court, when examined, both the parties have stated that at the instance of the elders, they have settled the matter out of the Court and the second respondent has no objection for quashing the proceedings against the petitioners/A-1 and A2.

Learned Public Prosecutor has raised an objection stating that the offence under Section 25(1) of the Arms Act is non-compoundable and hence, the matter cannot be compromised

at this stage. However, he conceded to the fact that though an offence under Section 307 IPC has been added in the crime, no injury whatsoever has been caused to any of the parties or to any of the third parties. Hence, the offence under Section 307 IPC is not attracted in this case.

However, since the parties have entered into compromise during the crime stage itself, no useful purpose would be served if the investigation in the crime is allowed to be continued.

Thus, in the light of the compromise arrived at between the parties, the compromise memo filed by both the parties is recorded and I.A.Nos.2 and 3 of 2019 are ordered.

Accordingly, the Criminal Petition is allowed in terms of compromise, and the proceedings in Crime No.310 of 2019 of Korutla Police Station, Jagtial District, against the present petitioners/A-1 and A-2 are hereby quashed.

Miscellaneous applications, if any, pending, shall stand closed.

(G. SRI DEVI, J)

19th September 2019
RRB