HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.2 and 3 of 2019
in/and
Criminal Petition No.6115 of 2019

ORDER:

The petitioners 1 to 3, who are accused in C.C.No.246 of 2018 on the file of the XIII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad, out of Cr.No.320 of 2017 on the file of the Station House Officer, Woman Police Station, CCS, DD, Hyderabad, registered for the offences punishable under Sections 498-A IPC and under Sections 3 and 4 of the Dowry Prohibition Act, filed this Criminal Petition under Section 482 CrPC to quash the proceedings in the above case.

2. Both the petitioners and the defacto-complainant along with their respective counsel present and 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 the petitioners in view of the compromise.

3. Perused the petitions vide I.A.Nos.2 and 3 of 2019 filed by the defacto-complainant for permission to compromise the matter with the petitioners and consequently quash the proceedings in the above case against the petitioners. The joint memo, supported by the affidavit of the defacto-complainant, duly signed by both the parties along with their respective counsel shows that the 1st petitioner is husband and 2nd and 3rd petitioners are in-laws of the defacto-complainant and with the intervention of the elders, they have amicably settled the matter by virtue of the memorandum of compromise/understanding (MOU), dated 05.08.2019. As per the MOU, the petitioners paid an amount of Rs.25,00,000/-(Rupees twenty five lakhs only) by way of cheque bearing

No.017421, dt.30.07.2019 drawn on Axis Bank, Dhrangadhara, Gujarat State to the defacto-complainant towards full and final settlement of all claims including maintenance and permanent alimony and on that she agreed to withdraw the criminal complaint against the petitioners. It is further agreed in the MOU that both the parties shall appear in the Court on the final day of hearing of the petition filed under Section 13-B of the Hindu Marriage Act. It is stated in the joint memo that the defacto-complainant withdrew M.C.No.341 of 2017 on the file of the Addl. Metropolitan Sessions Judge for the Trial of Jubilee Hills Car Bomb Blast Case and also agreed to withdraw DVC No.71 of 2017 on the file of the III Metropolitan Magistrate, Hyderabad. The MOU forms part of the record.

4. Thus in view of the compromise between the parties by virtue of the MOU, the compromise is recorded and the offences alleged against the petitioners are compounded.

5. Accordingly, I.A.Nos.2 and 3 of 2019 are allowed and the Criminal Petition is also allowed quashing the proceedings in C.C.No.246 of 2018 on the file of the XIII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad, against the petitioners. The petitioners are acquitted and their bail bonds, if any, shall stand cancelled.

6. Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE G. SRI DEVI

Dt.19.10.2019
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HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.2 and 3 of 2019
in/and
Criminal Petition No.6115 of 2019
Dated: 19.10.2019

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