

THE HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.2 and 3 of 2019 and CrI.P.No.6434 of 2019
and
I.A.Nos.3 and 4 of 2019 and CrI.P.No.7378 of 2019

COMMON ORDER

Since both the criminal petitions arise out of the similar case, they are being disposed of by this common order.

2. The petitioners/A2 to A5 are filed CrI.P.No.6434 of 2019 and the petitioner/A1 is filed CrI.P.No.7378 of 2019 under Section 482 Cr.P.C., seeking to quash the proceedings in C.C.No.5441 of 2019 on the file of the VIII Additional Chief Metropolitan Magistrate, Namapally, Hyderabad, registered for the offences under Sections 420, 417, 120-B read with Section 34 IPC, against them.

3. The 2nd respondent-de-facto complainant filed a complaint against her husband-A1 and the relatives of A1 i.e., A2 to A5, stating that all the accused have committed breach of trust by suppressing the fact that the marriage of A1 was already performed with another girl and again they solemnized the marriage of A1 with her, thereby cheated her.

4. During pendency of the criminal petitions, both the parties filed applications under Sections 320(6) and 320(2) of Cr.P.C., seeking leave of this Court to compound the offences and to record compromise as the matter was settled out of the Court. Along with the affidavits, they filed a memorandum of understanding dated 05.11.2019 stating that A1 agreed to pay a sum of Rs.5,00,000/- to the 2nd respondent-de-facto complaint towards full

and final settlement at the time of withdrawal of the case in Cr.No.272 of 2018 on the file of Rein Bazar Police Station, Hyderabad, and on such payment, she agreed to withdraw the said case, and they also agreed to exchange their articles and to live separately without any further claims and they would appear before the Official Qazi, Hyderabad, and file appropriate documents for mutual divorce. The said memorandum of understanding shall form part of the record.

5. Today, when the matter came up for hearing, the 2nd respondent/de-facto complainant and the petitioners/A1 to A5 are present and they are identified by their respective counsel. They filed their aadhar cards before the Court. When this Court enquired the parties, the de-facto complainant has received a sum of Rs.5,00,000/- from A1 before the Court and all the accused stated that they entered into compromise due to intervention of the elders.

6. In view of the settlement arrived at between the parties, I find that it is a fit case to grant leave to the parties to compound the offences and to quash the proceedings against the petitioners/A1 to A5.

7. In the result, I.A.Nos.2 and 3 in CrI.P.No.6434 of 2019 and I.A.Nos.3 and 4 in CrI.P.No.7378 of 2019 are ordered. Consequently, the Criminal Petitions are allowed and the proceedings in C.C.No.5441 of 2019 on the file of the VIII Additional Chief Metropolitan Magistrate, Namapally, Hyderabad, are hereby quashed against the petitioners/A1 to A5.

8. Miscellaneous petitions, if any pending in the criminal petitions, shall stand closed.

G. SRI DEVI, J

13th December, 2019
sj

