

THE HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.2 and 3 of 2019
and
Crl.P.No.7109 of 2019

COMMON ORDER

The criminal petition is filed under Section 482 Cr.P.C., seeking to quash the proceedings in C.C.No.462 of 2018 on the file of the Judicial First Class Magistrate, Nalgonda, registered for the offence under Section 498-A IPC and under Section 4 of Dowry Prohibition Act, against the petitioners/A1 to A5.

2. I.A.Nos.2 and 3 of 2019 are filed under Sections 320(6) and 320(2) of Cr.P.C., by both parties seeking leave of this Court to compound the offences and to record compromise as the matter was settled out of the Court due to intervention of the elders. Along with the affidavits, they filed a joint memo of compromise stating that due to differences, the 2nd respondent-de-facto complainant filed a complaint against the petitioners on 20.10.2018 and the same was registered as Cr.No.95 of 2018 on the file of Women Police Station, Nalgonda District, and after filing of the charge sheet, the crime was numbered as C.C.No.462 of 2018 on the file of the Judicial First Class Magistrate, Nalgonda. They further stated that due to disputes, the 2nd respondent was living separately from the matrimonial house, and subsequently, at the intervention of the well-wishers and elders, the disputes have been resolved between the spouses.

3. 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 and affixed their photographs on the compromise memo filed before this Court. When this Court enquired the parties, the 2nd respondent-de-facto complainant and the 1st petitioner/A1 stated that they are living together as husband and wife since more than 20 days. The 1st petitioner/A1 stated that he was selected as Police Constable recently in the Police Department for the State of Telangana and he would join in the said post. He undertakes that he shall give all the status and position to the 2nd respondent as his legally wedded wife and he shall give her name in the service records as his legally wedded wife and also give the status to their minor daughter, namely, Sanvika, aged about 2 years, as his legitimate child. The other petitioners, i.e., A2 to A5, who are mother and sisters of 1st petitioner/A1, undertake that the 2nd respondent is legally wedded wife of the 1st petitioner and out of their wedlock, the girl child was born to them.

4. 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.

5. In the result, I.A.Nos.2 and 3 of 2019 are ordered. Consequently, the Criminal Petition is allowed and the proceedings in C.C.No.462 of 2018 on the file of Judicial First Class Magistrate at Nalgonda, are hereby quashed against the petitioners/A1 to A5.

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

G. SRI DEVI, J

7th November, 2019

sj

