

HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.3 and 4 of 2019

In/and

CRIMINAL PETITION No. 7161 of 2019

ORDER:

The petitioners, who are A1 to A4 filed this petition under Section 482 Cr.P.C. to quash the proceedings in C.C.No.185 of 2016 on the file of the XXIII Metropolitan Magistrate, Cyberabad at Rajendranagar, Ranga Reddy District, which was taken cognizance of the offences punishable under Sections 498-A and 504 IPC and 3 and 4 of D.P. Act.

2. During pendency of the Criminal Petition, I.A.Nos.3 and 4 of 2019 came to be filed by the petitioners and 2nd respondent to record the compromise and to compound the offences. The 3rd petitioner is being represented by her GPA holder i.e., her husband. Copy of GPA executed by the petitioner is also placed on record. 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 2nd respondent. The said joint memo and the compromise petition filed by the 2nd respondent are duly signed by the respective parties and their signatures have been identified by their respective counsel.

3. According to the compromise petition in I.A.No.4 of 2019, the 2nd respondent has lodged a complaint against the petitioners for the offences punishable under Sections 498-A and 504 IPC and 3 and 4 of D.P. Act, wherein the petitioners are figured as A1 to A4 and after completion of investigation, police submitted charge sheet and the same was numbered as C.C.No.185 of 2016 on the file of the XXIII Metropolitan Magistrate, Cyberabad at Rajendranagar, Ranga Reddy District.

4. During the pendency of said C.C. at the instance of elders and well wishers, the 2nd respondent and 1st petitioner have decided to live separately and accordingly, they have obtained divorce by mutual consent. However, during their matrimonial life, they have not been blessed with children. By virtue of their settlement, both the 1st petitioner and the 2nd respondent have also agreed not to file any civil or criminal cases against each other and they have also agreed that 2nd respondent had no right or any claim in future with regard to movable and immovable properties of the 1st petitioner or his parents. Both parties agreed to co-operate with each other for compromise. Accordingly, a Memo of Understanding (MOU) was reduced into writing between the parties on 23.08.2019. Copy of the said MOU has been filed along with the criminal petition. At page Nos. 12 to 19, MOU between the parties

and GPA executed by 3rd petitioner form part of compromise. At the instance of elders, both parties have settled their disputes amicably and accordingly, prayer has been made to record the compromise. IA.No.3 of 2019 is filed to permit the parties to compound the offences.

5. According to MOU, the 1st petitioner has agreed to pay a sum of Rs.10,00,000/- to the 2nd respondent by way of permanent alimony. A sum of Rs.3,00,000/- has already been paid at the time of withdrawal of DVC proceedings and rest of the amount of Rs.7,00,000/- has been paid by the 1st petitioner to the 2nd respondent, today before this Court by way of Demand Draft bearing No.503456, dated 17.08.2019 drawn on ICICI Bank, Gachibowli Branch, and handed over the demand draft to the 2nd respondent. The 2nd respondent acknowledged to have received the entire mount of Rs.10,00,000/-, which she had received on earlier occasion and today (total amount of Rs.10,00,000/-)

6. 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.3 and 4 of 2019 are ordered.

7. Accordingly, the Criminal Petition is allowed in terms of compromise, and the proceedings in C.C.No.185 of 2016 on the file of the XXIII Metropolitan Magistrate,

Cyberabad at Rajendranagar, Ranga Reddy District, against the petitioners-A1 to A4 are hereby quashed. Miscellaneous petitions, if any pending shall stand closed.

JUSTICE G. SRI DEVI

DATED: 08.11.2019.

Hsd



HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.3 and 4 of 2019
In/and
CRIMINAL PETITION No. 7161 of 2019

Dated: 08.11.2019

Hsd