

HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.3 and 4 of 2019
in/and
CRIMINAL PETITION No. 7231 of 2019

ORDER:

1) The petitioners, who are accused in F.I.R.No.1019 of 2019 on the file of the S.H.O., L.B.Nagar Police Station, Rachakonda, filed this Criminal Petition under Section 482 Cr.P.C. to quash the proceedings in the above Crime registered for the offences punishable under Sections 498-A, 420 and read with Section 34 IPC.

2) During pendency of the Criminal Petition, I.A.Nos.3 and 4 of 2019 came to be filed by the 2nd respondent/ *de facto* complainant and the 1st petitioner/ A-1, respectively, to permit them to compound the offence by recording the compromise and to record the joint memo of compromise. Along with I.A.No.3 of 2019, a joint memo came to be filed, *inter alia*, stating that both the parties have earlier filed FCOP No.2569 of 2018 before the Judge, Family Court, Ranga Reddy District at L.B.Nagar, which was closed. In the said FCOP, I.A.No.1882 of 2019 was also filed for reopening the FCOP and the said I.A. is pending consideration.

3) In the meantime, the elders of both sides have settled the issue amicably between the 2nd respondent/ *de facto* complainant and the accused and accordingly, the 2nd respondent/ *de facto* complainant has agreed to close all the cases pending against the accused including FCOP because both the *de facto* complainant and the 1st petitioner/ A-1 are not interested to continue their

matrimonial life. It is also agreed between the parties that both the parties shall not interfere with the personal lives of each other in future.

4) As per the terms, as already agreed by the parties, in the present Joint Memo, the 1st petitioner had obtained demand draft vide D.D.No.701850 dt.19-10-2019 drawn on Kotak Mahindra Bank, Patancheru Branch, for a sum of Rs.20.00 lakhs towards full and final settlement of all claims of 2nd respondent including permanent alimony and that the same shall be kept with one Jilakapally Alwal Reddy, S/o.Narasimha Reddy and the said D.D. will be handed over to the 2nd respondent/ *de facto*-complainant while recording the compromise in the Joint Memo of Compromise Petition for divorce by mutual consent; that there are no further claims against each other and all the outstanding issues have already been resolved; that there shall be no further claim of either side at any time and all the articles have been exchanged between the parties; that the 2nd respondent/ *de facto* complainant shall handover and keep the old DD No.006149 and 006150, drawn on HDFC Bank, Madeenaguda Branch, dt.12-10-2018, for a sum of Rs.20.00 lakhs and the original mutual agreement reduced between the parties, with the said Jilakapally Alwal Reddy; and that the said D.D. and MOU shall be handed over to the 2nd respondent/ *de facto* complainant while recording compromise in the petition filed for divorce by mutual consent for dissolution of the marriage.

5) In view of the aforesaid settlement agreed and entered into between the parties, the second respondent/ *de facto* complainant has no objection, if the proceedings in Crime No.1019 of 2019 on the file of the S.H.O., L.B.Nagar Police Station, for the offences under SectionS 498-A and 420 read with Section 34 IPC, are quashed against the petitioner. The said joint memo has been supported by the affidavit of the second respondent in I.A.No.3 of 2019.

6) 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/ accused.

7) 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.

8) Accordingly, the Criminal Petition is allowed in terms of compromise, and the proceedings in Crime No.1019 of 2019 on the file of the Police Station, L.B.Nagar, Rachakonda, against the present petitioners are hereby quashed.

9) Miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE G. SRI DEVI

21.12.2019

kvr