

THE HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.6 and 7 of 2019 and CrI.P.No.2951 of 2019
and
I.A.Nos.3 and 4 of 2019 and CrI.P.No.6683 of 2019
and
I.A.Nos.3 and 4 of 2019 and CrI.P.No.7546 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 A4 are filed CrI.P.No.2951 of 2019; the petitioner/A5 is filed CrI.P.No.6683 of 2019; and the petitioner/A1 is filed CrI.P.No.7546 of 2019 under Section 482 Cr.P.C., seeking to quash the proceedings in C.C.No.5852 of 2019 on the file of the XV Additional Chief Metropolitan Magistrate, Red Hills, Nampally, Hyderabad, registered for the offences under Sections 420, 352, 506, 498-A IPC and under Sections 3, 4 and 6 of Dowry Prohibition Act, 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 used to harass her mentally and physically by demanding additional dowry.

4. During pendency of the criminal petitions, both 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 27.11.2019 stating that A1 agreed to pay a sum of

Rs.16,00,000/- to the 2nd respondent-de-facto complainant towards permanent alimony and towards full and final settlement of all claims and he has drawn D.D.No.000165 dated 16.11.2019 for a sum of Rs.10,00,000/- through HDFC Bank, Banjara Hills, Hyderabad and another D.D.No.654749 for a sum of Rs.6,00,000/- through Indusind Bank, West Marredpally Branch, Secunderabad, and he will handover the said demand drafts at the time of withdrawal of criminal case. In Clause No.6 of the Memorandum of Understanding, it was mentioned that the 2nd respondent/de-facto complainant shall handover all the gold ornaments mentioned therein to A1 before finalisation of O.P.No.848 of 2019 on the file of the Judge, Family Court, City Civil Court, in the presence of the counsel for both parties. In Clause No.9, it was mentioned that A1 shall handover the gold ornaments to the 2nd respondent-de-facto complainant on the date when she returns the gold ornaments to A1. It is stated that they also filed O.P.No.848 of 2019 on the file of the Judge, Family Court, City Civil Court, Hyderabad, for mutual divorce and the 2nd respondent-de-facto complainant agreed to withdraw the criminal case against the accused. 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 and affixed their photographs to the affidavit. When this Court enquired the parties, A1 handed over the aforesaid demand drafts to the de-facto complainant before the Court and she acknowledge the receipt of a

sum of Rs.16,00,000/- from A1 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.6 and 7 of 2019 and CrI.P.No.2951 of 2019; I.A.Nos.3 and 4 of 2019 and CrI.P.No.6683 of 2019; and I.A.Nos.3 and 4 of 2019 and CrI.P.No.7546 of 2019 are ordered. Consequently, the Criminal Petitions are allowed and the proceedings in C.C.No.5852 of 2019 on the file of the XV Additional Chief Metropolitan Magistrate, Red Hills, Nampally, Hyderabad, are hereby quashed against the petitioners/A1 to A5.

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

16th December, 2019

G. SRI DEVI, J

sj