

HONOURABLE JUSTICE G. SRI DEVI

I.A.No.3 of 2019

in/and

CRIMINAL PETITION No. 7739 of 2019

ORDER:

1) The petitioners, who are accused Nos. 1 and 2 in C.C.No.409 of 2017 on the file of the IX Metropolitan Magistrate, Cyberabad, Kukatpally at Miyapur, filed this Criminal Petition under Section 482 Cr.P.C. to quash the proceedings in the above C.C. A charge sheet came to be filed against the petitioners for the offences punishable under Sections 498-A read with 109 I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

2) During pendency of the Criminal Petition, I.A.No.3 of 2019 came to be filed by the 2nd respondent to record the compromise. Along with the petition, a joint memo which is signed by the parties and their counsel came to be filed. It is stated in the affidavit that at the intervention of elders and well wishers, the parties have settled their disputes in terms of the Memorandum of Understanding. The said Joint Memo is supported by the affidavit of the 2nd respondent. The photographs and aadhar cards of the parties also filed along with the petition.

3) Today, the 1st petitioner and the 2nd respondent are present before this Court and they were identified by their respective counsel. Learned Counsel for the petitioners submits that he has not pressed the petition against the 2nd petitioner. Hence, the petition in respect of the 2nd petitioner is dismissed as not pressed.

4) This Court, when examined, the 1st petitioner and the 2nd respondent have stated that at the instance of the elders, they have settled the matter out of the Court as per the Memorandum of Understanding, which is filed today. As per the Memorandum of Understanding the 1st petitioner executed a gift deed in the name of the minor daughter Disha Reddy vide document No.7279 of 2019 and he purchased a new Car bearing No. TS 09 FJ 0434 in favour of the 2nd respondent and she can use and enjoy the same as an absolute owner thereof. The 1st petitioner has agreed to deposit a sum of Rs.1,00,000/- per month in the account of the minor child. Today, the 2nd respondent stated that she received the Car and Rs.1,00,000/- per month was deposited by the 1st petitioner regularly and she has no objection for quashing the proceedings against the 1st petitioner. The Memorandum of Understanding is form part of the record.

5) In the light of the compromise arrived at between the parties, the compromise memo filed by both the parties is recorded and I.A.No.3 of 2019 is ordered only in respect of the 1st petitioner.

6) Accordingly, the Criminal Petition is allowed in part in terms of compromise, and the proceedings in C.C.No.409 of 2017 on the file of the IX Metropolitan Magistrate, Cyberabad, Kukatpally at Miyapur, against the 1st petitioner are hereby quashed. As stated supra, the Criminal Petition is dismissed as not pressed insofar as the 2nd petitioner is concern.

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

JUSTICE G. SRI DEVI

02.12.2019
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