

HONOURABLE JUSTICE G. SRI DEVI

I.A.No.3 of 2019

In/and

CRIMINAL PETITION No. 7797 of 2019

ORDER:

1) The petitioners, who are accused Nos.1 to 5 in Crime No.175 of 2019 of Tukaramgate Police Station, Hyderabad city, filed this Criminal Petition under Section 482 Cr.P.C. to quash the proceedings in the above crime, which was registered for the offences punishable under Sections 323, 506 read with 34 of I.P.C. and Section 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

2) Along with the Criminal Petition, I.A.No.3 of 2019 came to be filed by the second respondent to record the compromise. Along with the petition, a joint memo which is signed by the parties and their counsel, photographs of the parties and Photostat copies of their Aadhar Cards came to be filed. It is stated in the affidavit that due to the misunderstanding between the petitioners/ accused and the second respondent, the present case was registered against the petitioners and at the intervention of elders and well wishers, the parties have settled their disputes in terms of the compromise and in view of the compromise arrived at between the parties, the second respondent has no grievance against the petitioners and he has no objection to quash the proceedings.

3) As seen from the record, initially the crime was registered against the petitioners/ accused for the offences punishable under

Sections 323, 506 read with 34 of I.P.C. and Section 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and subsequently Section 307 of I.P.C. was added. A perusal of the remand case diary would show that while adding Section 307 of I.P.C., the Investigating Officer, has stated that the de facto complainant/L.W.1 came to the scene of offence i.e., the residence of L.W.4, to attend the bonalu festival, all of a sudden all the petitioners came there with a plan and attacked the de facto complainant stating that "Pattukondi Madiga Lanja Kodukulani, Sampedhamu". Had the de facto complainant could not run away from the clutches of the petitioners, he would have received fatal injuries, but however, no injuries whatsoever was caused to the second respondent.

4) 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.

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.

6) Accordingly, the Criminal Petition is allowed in terms of compromise, and the proceedings in Crime No.175 of 2019 of

Tukaramgate Police Station, Hyderabad City, against the petitioners/ accused Nos. 1 to 5 are hereby quashed.

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

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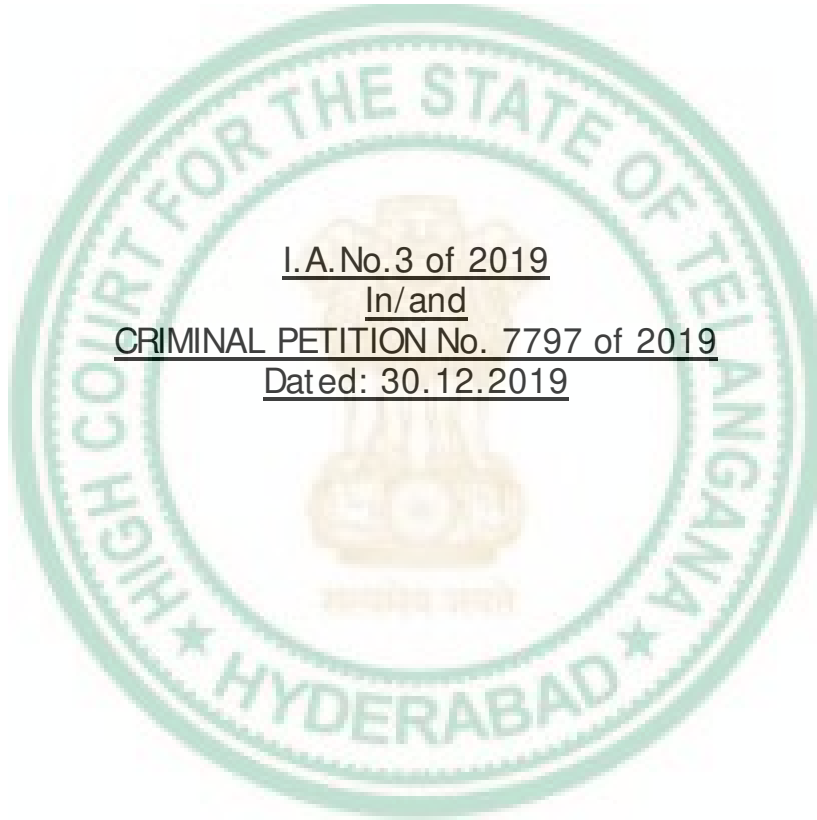
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30.12.2019  
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