

HONOURABLE JUSTICE G. SRI DEVI

I.A.No.4 of 2020
In/and
CRIMINAL PETITION No. 432 of 2020

ORDER:

1) The petitioner, who is accused No.2, filed this Criminal Petition under Section 482 Cr.P.C. to quash the proceedings in Crime No.7 of 2020 of Ichoda Police Station, Adilabad District, which was registered against the petitioner/A-2 and another for the offences punishable under Sections 365, 324, 506 and 342 read with 109 of I.P.C. and Section 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015.

2) During pendency of the Criminal Petition, I.A.No.4 of 2020 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. In the joint memo it has been stated that the second respondent filed a complaint before the Police of Ichoda Police Station inter alia stating that he is running a foot wear shop and about six months back, when he was in need of money for his business; accordingly he asked accused No.1 to prove hand loan, upon that accused No.1 had given gold ring and chain weighing 1 ½ tola and he had mortgaged the above gold ornaments in Muthoot Finance and obtained an amount of Rs.35,000/- for 1% interest but accused No.1 had taken a sum of Rs.5,000/- for every ten days total

Rs.80,000/- from him. Due to financial constraints the second respondent could not pay interest to accused No.1 for one month and since then accused No.1 had forced and threatened him with dire consequences to pay the interest or to return the gold ornaments. On 09.01.2020 while the second respondent was coming from the way opposite to the Night Hotel, accused No.1 came and asked him to sit on his scooty and forcibly took him towards Kala Dhenu Gowshala situated at Dongregaon village, which belongs to the petitioner/ A-2, bet him with a plastic pipe on his left hand and face and also threatened that he will release the bulldog to bite and confined him in a room, snatched his cell phone and locked the room from outside by threatening that he will not release until he pay the interest. At mid night one lady came to him and released him. Later, the second respondent filed the above case. It is also submitted that he has not lodged any complaint against the present petitioner/ A-2 nor made any allegation against him except the fact that accused No.1 took him to Gowshala belonged to the petitioner/ A-2 and confined him in the manner aforesaid. However, the police implicated the present petitioner as A.2 in the above crime, though he has not mentioned the name of the present petitioner. Having come to know of the same, the well wishers of both the parties have intervened and suggested for an amicable settlement and after due deliberations and negotiations, the matter was compromised, as such he does not want to proceed with the case against the present petitioner/ A-2.

3) 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 and well wishers of both the parties, they have settled the matter out of the Court and the second respondent stated that he has no objection for quashing the proceedings against the petitioner/ A-2.

4) 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.4 of 2020 is ordered.

5) Accordingly, the Criminal Petition is allowed in terms of compromise, and the proceedings in Crime No.7 of 2020 of Ichoda Police Station, Adilabad District, against the present petitioner/ A-2 are hereby quashed.

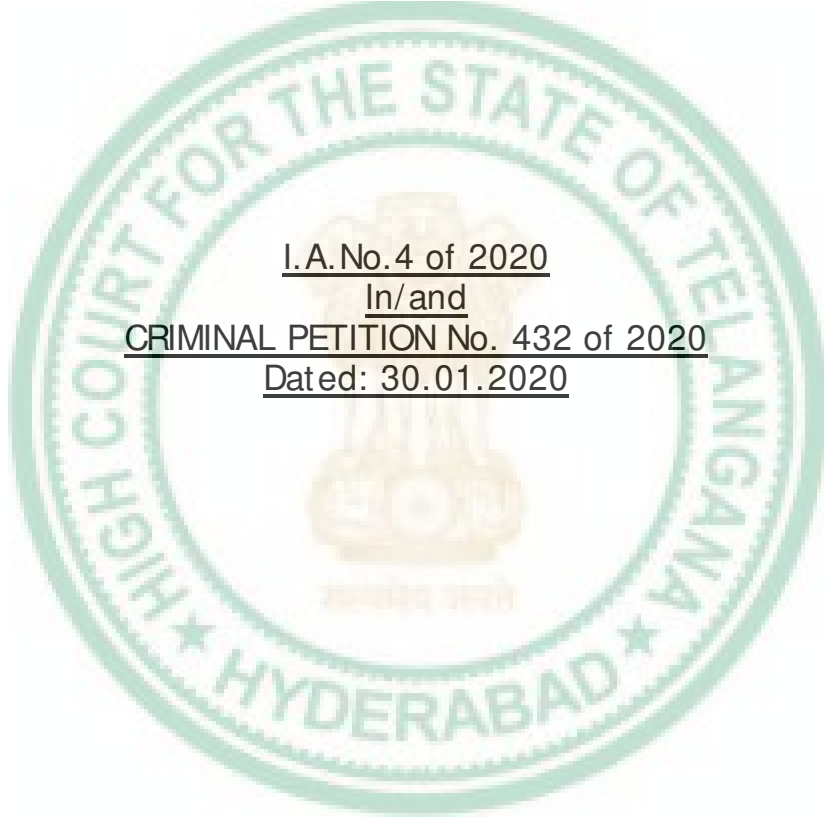
6) Miscellaneous petitions, if any, pending, shall stand closed.

30.01.2020
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I.A.No.4 of 2020
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Dated: 30.01.2020



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