

HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.2 and 3 of 2020

In/and

CRIMINAL PETITION No. 506 of 2020

ORDER:

The petitioner, who is the accused in FIR No.432 of 2019 on the file of the S.H.O. Miyapur Police Station, Cyberabad District, registered against him for the offence punishable under Section 3 (1) (r) (s), 2 (va) of SCs, STs (POA) Act, 1989, filed this petition under Section 482 Cr.P.C. to quash the proceedings in the above crime.

2. During pendency of the Criminal Petition, I.A.Nos.2 and 3 of 2020 came to be filed by the second respondent to record the compromise and to compound the offence. Along with the petitions, memorandum of compromise came to be filed, *inter alia* stating that at the intervention of elders and well wishers, the parties have settled their disputes in terms of the compromise. The said compromise memo has been supported by the affidavit of the second respondent.

3. According to the contents of the affidavit sworn in by the 2nd respondent, the second party has given a complaint to the S.H.O. Miyapur Police Station stating that an amount of Rs.10,00,000/- was withdrawn by the first party from the joint account of the company jointly owned

by both of them and subsequently, when questioned him about the same, the accused abused him in filthy language. Basing on the said complaint, Cr.No.432 of 2019 was registered against the petitioner. During the course of investigation, due to intervention of elders, the accused has tendered unconditional apology to the complainant and the complainant is ready to forgive and agreed to compound the offence in the interest of both parties. Accordingly, he has forgiven the accused and agreed to withdraw the complaint. According to the memorandum of compromise, the accused has agreed to pay a sum of Rs.5,20,000/- to the complainant towards full and final settlement of the claim and the complainant has agreed for the same. On the date of execution of the said compromise, the accused has paid Rs.40,000/- by way of cash and another sum of Rs.60,000/- by way of cheque, dated 09.01.2020 drawn on HDFC Bank, Banjara Hills and agreed to pay balance amount of Rs.4,20,000/- by way of Demand Draft at the time of recording the compromise before this Court. Today, at the time of recording the compromise, the accused has handed over bankers cheque, dated 28.02.2020, for Rs.4,20,000/- drawn on HDFC Bank and the complainant has acknowledged to have received the said amount. In total, the complainant has agreed to have

received Rs.5,20,000/- from the accused. Hence, it is prayed to quash the proceedings.

4. Today, both parties are present before this Court and they are identified by their respective counsel. The parties have produced Aadhar Cards and photographs, which show their identity. This Court, when examined, both parties have stated that at the instance of the elders, they have settled the matter out of the Court amicably and the second respondent has no objection for quashing the proceedings against the petitioner.

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.Nos.2 and 3 of 2020 are ordered.

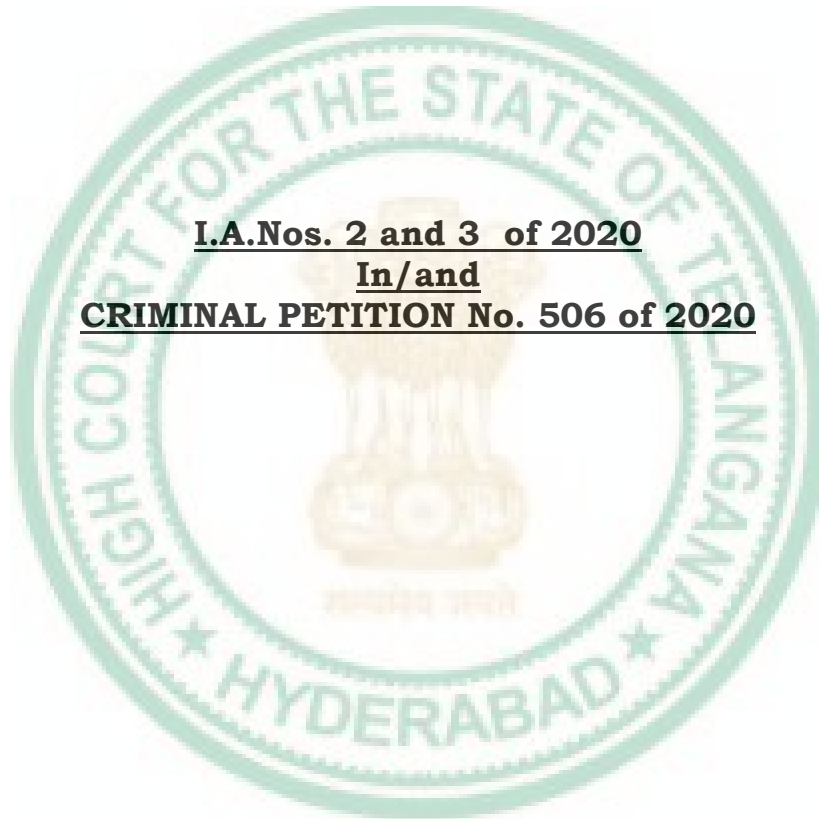
6. Accordingly, the Criminal Petition is allowed in terms of compromise, and the proceedings in Cr.No.432 of 2019 on the file of the S.H.O. Miyapur Police Station, Cyberabad, against the petitioner-accused are hereby quashed. Miscellaneous petitions, if any pending shall stand closed.

JUSTICE G. SRI DEVI

DATED: 28.02.2020.
Hsd

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