

HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.2 and 3 of 2020

In/and

CRIMINAL PETITION No. 1248 of 2020

ORDER:

The petitioners, who are A1 to A6 in C.C.No.193 of 2016 on the file of the XIII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, 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, 406 and 323 IPC and 4 and 6 of D.P. Act.

2. The 1st petitioner is represented by his brother and GPA holder, Md.Shabuddin. The GPA executed by A1-Md.Ghouse is placed on record, which forms part of this Criminal Petition. The accused and the de facto complainant are personally present before this Court. The parties are duly identified by their respective counsel. For the purpose of identification, they also filed Aadhar Cards and photographs, which have also been duly identified/attested by their respective counsel. The parties also filed I.A.Nos. 2 and 3 of 2020 to compound the offence and compromise the matter. The parties also filed joint memo supported by the affidavit of the de facto

complainant-2nd respondent. The joint memo and the affidavit have been duly signed by the respective parties and their signatures have been identified/attested by their respective counsel.

3. According to the contents of the affidavit and the joint memo, A1 and the de facto complainant are wife and husband, whose marriage was performed on 26.09.2013 at Vattepally, Hyderabad, according to Muslim Rites and Customs in the presence of elders. Due to some differences of opinion from the de facto complainant and A1, she has filed a case under Section 498-A, 406 and 323 IPC and 4 and 6 of D.P. Act against her husband and in laws at S.H.O. Women P.S. CCS, DD, Hyderabad. After completion of investigation, charge sheet has been filed in the said case. Thereafter, the learned Magistrate i.e., XIII Addl. Chief Metropolitan Magistrate, Nampally, Hyderabad, has taken cognizance and the same was numbered as C.C.No.193 of 2016, which is pending for disposal before the said Court. During the pendency of the said case, at the instance of elders and well wishers, the parties have settled their dispute amicably. In view of the said settlement, the de facto complainant has been fully satisfied and she does not want to proceed further with the case against the petitioners i.e., A1 to A6. It may be relevant to mention that as per the terms of settlement, the

de facto complainant has agreed to withdraw the case i.e., C.C.No.193 of 2016. She further stated that she had earlier filed M.C. against her husband, wherein some amounts have been deposited by virtue of the orders of the Court, which she has already received from the said Court. Thereafter, she has withdrawn the cases, which are pending before the concerned Courts. According to joint compromise memo filed by the petitioners-A1 to A6 and the de facto complainant, the de facto complainant and A1 have decided to live together as husband and wife in a separate residence after A1 returns/come back to India and the other petitioners-accused agreed for the said settlement. They have also agreed to return all the jahez articles of the de facto complainant within one month or immediately after A1 returns from India, whichever is earlier. Hence, it is prayed to quash the proceedings.

4. During the course of recording the compromise, the parties admitted that at present, the de facto complainant is in talking terms with the accused persons and she is also visiting her in-laws house and they all are having cordial relationship with each other.

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 C.C.No.193 of 2016 on the file of the XIII Addl. Chief Metropolitan Magistrate, Nampally, Hyderabad, against the present petitioners-A1 to A6 are hereby quashed. Miscellaneous petitions, if any pending shall stand closed.

JUSTICE G. SRI DEVI

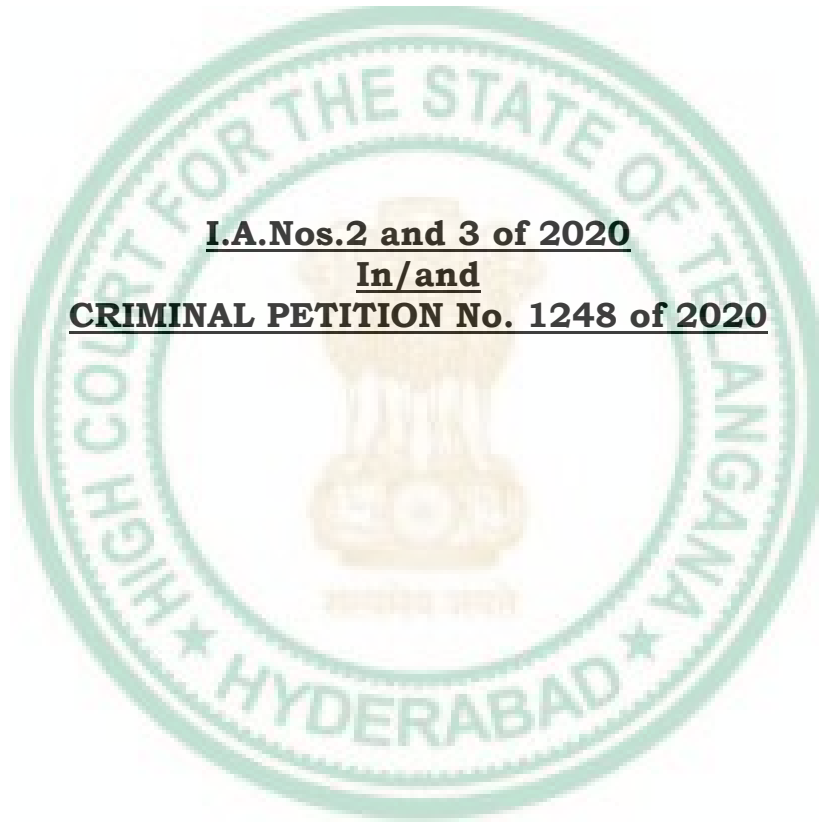
DATED: 29.02.2020.

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