

THE HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.2 and 3 of 2019
and
Crl.P.No.7792 of 2019

COMMON ORDER

The criminal petition is filed under Section 482 Cr.P.C., to quash the proceedings in C.C.No.121 of 2019 on the file of Judicial First Class Magistrate, Special Mobile (PCR) Court, Karimnagar, registered for the offences under Section 498-A IPC and under Section 4 of Dowry Prohibition Act, against the petitioners/A1 to A3.

2. I.A.Nos.2 and 3 of 2019 are filed under Sections 320(6) and 320(2) of Cr.P.C., by both parties seeking leave of this Court to compound the offences and to record compromise as the matter was settled out of the Court due to intervention of the elders. Along with the affidavits, they filed a memorandum of compromise stating that respondent No.2 filed a report before the police on 03.09.2018 stating that her marriage was performed with petitioner No.1/A1 on 12.08.2017 at Karimnagar Town and they lived together for about 10 months at Bangalore, and thereafter, due to disputes between them she was living separately and no children were born to them out of their wedlock. Since there was complete incompatibility between them and the efforts made by the elders to resolve their disputes did not yield any fruitful result, both parties have decided to part ways and to get their marriage dissolved by mutual consent. According, both parties have filed a petition for dissolution of marriage by mutual consent and they have entered into an agreement. It is stated in the affidavit that as per the terms of

agreement, A1 agreed to pay a total sum of Rs.12,00,000/- to respondent No.2 towards all claims including permanent alimony and maintenance, and out of the said amount, he has paid a sum of Rs.6,00,000/- through cheque bearing No.878472 dated 30.07.2019 and respondent No.2 acknowledged receipt of the same. Petitioner No.1 further agreed to pay the remaining sum of Rs.6,00,000/- at the time of withdrawal of the present case.

3. Today, when the matter came up for hearing, petitioners/A1 to A3 and the 2nd respondent/de-facto complainant are present and they are identified by their respective counsel. They filed xerox copies of their aadhar cards along with their photographs before the Court. When this Court enquired the parties, the de-facto complainant and A1 stated that they entered into compromise due to intervention of the elders and that A1 has paid remaining sum of Rs.6,00,000/- on 19.02.2020 before the Judge, Family Court, at the time of recording the statements of both parties for dissolution of their marriage, through Demand Draft dated 13.02.2020, and that the de-facto complainant stated that she received total sum of Rs.12,00,000/- as per the agreement and that the other cases filed by the parties have already been withdrawn by them.

4. In view of the settlement arrived at between the parties, I find that it is a fit case to grant leave to the parties to compound the offences and to quash the proceedings against the petitioners/A1 to A3.

5. In the result, I.A.Nos.2 and 3 of 2019 are ordered. Consequently, the Criminal Petition is allowed and the proceedings

in C.C.No.121 of 2019 on the file of Judicial First Class Magistrate, Special Mobile (PCR) Court, Karimnagar, are hereby quashed against the petitioners/A1 to A3.

6. Miscellaneous petitions, if any pending in the criminal petition, shall stand closed.

20th February, 2020

G. SRI DEVI, J

sj

