

THE HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.2 and 3 of 2019

and

Crl.P.No.7977 of 2019

COMMON ORDER

The criminal petition is filed under Section 482 Cr.P.C., seeking to quash the proceedings in Cr.No.166 of 2019 on the file of Lalaguda Police Station, Hyderabad District, registered for the offence under Section 304-A IPC, against the petitioners/A1 and A2.

2. I.A.Nos.2 and 3 of 2019 are filed by both parties seeking leave of this Court to compound the offence and to record compromise as the matter was settled out of the Court. Along with the affidavits, they filed a joint memo of compromise stating that the 2nd respondent-de-facto complainant lodged a complaint against the petitioners stating that on 03.09.2019, while her husband was working as Labourer, he fell down from the 1st floor of the building and died and that the petitioners have not taken any safety measures and not provided any helmets to the labourers. The said case was registered as Cr.No.166 of 2019 on the file of Lalaguda Police Station, Hyderabad District, for the offence under Section 304-A IPC. They further stated that during pendency of investigation, due to intervention of village elders and well wishers, the 2nd respondent intends to withdraw the complaint against the petitioners, and that in view of the compromise, both parties have entered into a memorandum of understanding dated 07.11.2019, as per which, the petitioners/A1 and A2 have agreed to pay a sum of Rs.5.00 lakhs towards full and final settlement and that an amount of Rs.1.00 lakh was already paid to the 2nd respondent on 04.09.2019 and 08.11.2019 and they

agreed to pay the balance amount at the time of withdrawal of the criminal case.

3. Today, when the matter came up for hearing, the 2nd respondent/de-facto complainant, the legal heirs of the deceased and the petitioners/A1 and A2 are present and they are identified by their respective counsel. They filed xerox copies of their aadhar cards along with the affidavit. They filed their photographs before the Court. When this Court enquired the parties, the 2nd respondent and the petitioners/A1 and A2 stated that in terms of the memorandum of understanding, petitioners/A1 and A2 have paid a sum of Rs.4,00,000/- to the 2nd respondent and the legal heirs of the deceased before the Court by way of Demand Draft bearing No.960495 dated 24.12.2019 drawn Lakshmi Vilas Bank, Malkajgiri Branch.

4. In view of the settlement arrived at between the parties, I find that it is a fit case to record compromise between parties and to quash the proceedings against the petitioners/A1 and A2.

5. In the result, I.A.Nos.2 and 3 of 2019 are ordered. Consequently, the Criminal Petition is allowed and the proceedings in Cr.No.166 of 2019 on the file of Lalaguda Police Station, Hyderabad District, are hereby quashed against the petitioners/A1 and A2.

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

G. SRI DEVI, J

4th January, 2020
sj