

HONOURABLE JUSTICE G. SRI DEVI

I.A.No.2 of 2019

In/and

CRIMINAL PETITION No. 8363 of 2019

ORDER:

1) The petitioners, who are accused Nos.1 to 3 in C.C.No.4577 of 2019 on the file of the XV Additional Chief Metropolitan Magistrate, 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 and 406 of I.P.C. and Sections 4 and 6 of the Dowry Prohibition Act, 1961.

2) Along with the Criminal Petition, I.A.No.2 of 2019 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. It is stated in the affidavit that at the intervention of elders and well wishers, the parties have settled their disputes in terms of the Memorandum of Understanding, which is filed along with the main Criminal Petition. As per the Memorandum of Understanding, the petitioners agreed to pay Rs.8.00 lakhs to the second respondent towards full and final settlement ie., total marriage expenses incurred by the parents of the second respondent. On the date of execution of the Memorandum of understanding an amount of Rs.1.00 lakh was paid to the second respondent through Demand

Draft bearing No. 882051, dated 08.03.2019 drawn on State Bank of India, Ameerpet Branch, an amount of Rs.2,00,000/- is to be paid at the time of obtaining mutual consent divorce and the remaining Rs.5.00 lakhs is to be paid on the date of withdrawal of criminal case. Both the parties have agreed not to disturb each other in any manner.

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, they have settled the matter out of the Court. Accordingly, both the parties have filed F.C.O.P.No.343 of 2019 seeking divorce on mutual consent. By an order, dated 02.12.2019, the learned Judge, Family Court, Secunderabad, granted divorce by dissolving the marriage between the 1st petitioner/ A-1 and the second respondent. The second respondent stated that she had received Rs.1.00 lakh on the date of execution of the Memorandum of Understanding, Rs.2.00 lakhs on the date of decree of divorce and today she received Rs.5.00 lakhs by way of D.D. bearing No.092661, drawn on State Bank of India, Bapatla Bazar Branch. The second respondent/ wife acknowledged to have received the entire amount of Rs.8.00 lakhs on different occasions and she has no objection for quashing the proceedings against the petitioners.

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.2 of 2019 is ordered.

5) Accordingly, the Criminal Petition is allowed in terms of compromise, and the proceedings in C.C.No.4577 of 2019 on the file of the XV Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, against the petitioners are hereby quashed.

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

30.01.2020
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I.A.No.2 of 2019
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CRIMINAL PETITION No. 8363 of 2019
Dated: 30.01.2020



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