

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 9384 OF 2022

ALONG WITH I.A.Nos. 1 and 2 OF 2022

I.A.Nos. 1 and 2 OF 2022

Between:

1. Mrs. Ayesha Begum, W/o Mohd Yousuf Uddin, Aged about 42 years, Housewife, R/o 12-45/2, YNR Colony, Satamrai, Shamshabad, Ranga Reddy Dist.
2. The State of Telangana, Through SHO, RGI Shamshabad Police Station, Police Station, Cyberabad, rep. by its Public Prosecutor, High Court of Telangana, at Hyderabad.

...RESPONDENT/DEFACTO COMPLAINANT

AND

1. Mr. Mohd Yousuf Uddin, S/o Late Naseeruddin, Teacher, Aged about 53 years R/o 6-2861, Meer Bagh colony, Nalgonda.
2. Mrs. Parveen Sultana, W/o Matheen Ahmed, Housewife, Aged about 35 years, R/o 6-2861, Meer Bagh Colony, Nalgonda.
3. Mr. Matheen Ahmed, S/o Late Basheer Uddin, Teacher, Aged about 48 years, R/o 6-2861, Meer Bagh Colony, Nalgonda.

...RESPONDENT/ACCUSED No.1,2 & 3

I.A. NO: 1 OF 2022

Petition under Section 320(6) of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to permit the Petitioner/Respondent No.2/petitioner to compound the offense in C.C No. 3681/2021, for the offences U/Sec.498-A and Section 3 and 4 of D.P Act pending on the file of Addl. Junior Civil Judge Cum XII Addl. Metropolitan Magistrate, Rajendranagar, in the interest of justice, in the interest of justice.

I.A. NO: 2 OF 2022

Petition under Section 320(2) of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to permit and record the compromise and quash the proceedings in CC No. 3681/2021, for the offences U/Sec.498-A and Section 3 and 4 of D.P Act pending on the file of Addl. Junior Civil Judge Cum XII Addl. Metropolitan Magistrate, Rajendranagar.

CRIMINAL PETITION NO: 9384 OF 2022

Between:

1. Mr.Mohd Yousuf Uddin , S/o Late Naseeruddin, Teacher, Aged about 53 years R/o 6-2861, Meer Bagh colony, Nalgonda.
2. Mrs. Parveen Sultana, W/o Matheen Ahmed, Housewife, Aged about 35 years, R/o 6-2861, Meer Bagh Colony, Nalgonda.
3. Mr.Matheen Ahmed, S/o Late Basheer Uddin, Teacher, Aged about 48 years, R/o 6-2861, Meer Bagh Colony, Nalgonda.

...PETITIONER/ACCUSED No.1,2 &3

AND

1. Mrs. Ayesha Begum, W/o Mohd Yousuf Uddin, Aged about 42 years, Housewife, R/o 12-45/2, YNR Colony, Satamrai, Shamshabad, Ranga Reddy Dist.
2. The State of Telangana, Through SHO, RGI Shamshabad Police Station, Police Station, Cyberabad, rep. by its Public Prosecutor, High Court of Telangana, at Hyderabad.

...RESPONDENT/DEFACTO COMPLAINANT

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to Quash the proceedings in This Honourable Court may please to quash the proceedings in C. C No:3681 of 2021 on the file of Honourable Additional Junior Civil Judge Cum XII Additional Metropolitan Magistrate, Rajendranagar in the interest of Justice and equity .

These Petitions coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri MOHD RIYAZ PASHA Advocate for the Petitioners in Crl.Petition and Respondent No. 1 in I.A.Nos. 1 & 2 of 2022 and the Public Prosecutor on behalf of the Respondent No.2 in Criminal Petition and Petitioner No.2 in I.A.Nos.1 and 2 of 2022 and of Sri MOHAMMED MASOOD ALI Advocate for the Respondent No. 1 in Crl.Petition and Petitioner in I.A.Nos. 1 and 2 of 2022.

The Court made the following: COMMON ORDER

THE HONOURABLE SRI JUSTICE K. SURENDER

CRIMINAL PETITION No.9384 OF 2022
ALONG WITH I.A.Nos.1 and 2 OF 2022

COMMON ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., seeking to quash the proceedings in C.C.No.3681 of 2021 on the file of Additional Metropolitan Magistrate at Rajendranagar, Cyberabad. The petitioners herein are accused Nos.1, 2 and 3 in the said case. The offences alleged against the petitioners herein are under Sections 498-A of I.P.C and Sections 3, 4 of D.P.Act.

2. Heard learned counsel appearing on both sides and learned Additional Public Prosecutor for the State. Perused the record.

3. During the pendency of the present Criminal Petition, the parties have compromised the matter and, accordingly, respondent No.2-*de facto* complainant filed I.A.Nos.1 and 2 of 2022 to permit them to compound the offences and to compromise the case.

4. Vide order dated 27.10.2022, this Court, after recording the submissions made by the learned counsel for the petitioner

as well as respondent No.2, directed the parties to appear before the Secretary, Telangana High Court Legal Services Committee, Hyderabad, for their identification and also directed the Secretary to submit a report by 17.11.2022. In compliance with the said order, the Secretary has submitted his report, on 03.11.2022.

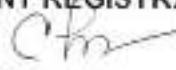
5. In the report of the Secretary, Telangana High Court Legal Services Committee, Hyderabad, it is stated that in obedience of the orders dated 03.11.2022, the petitioners and the 2nd respondent have appeared before him along with their counsel and on examination and verification of their particulars from their Aadhar Cards, they were tallied. Thus the identification of both the parties has been established.

6. The parties herein have filed a joint memo of compromise stating that they have agreed among themselves to compromise and resolve all the disputes, they have settled the disputes between them amicably and 2nd respondent has no objection to quash the proceedings against the petitioners herein in the above Calendar Case. The said joint memo of compromise and the report of the Secretary are placed on record.

7. In view of the said report of the Secretary, Telangana High Court Legal Services Committee, Hyderabad and also in view of the compromise entered between the petitioner and respondent No.2, I.A.Nos.1 and 2 of 2022 are allowed. Consequently, the Criminal Petition is allowed and the proceedings in C.C.No.3681 of 2021 on the file of Additional Metropolitan Magistrate at Rajendranagar, Cyberabad, against the petitioners-Accused Nos.1, 2 and 3 are hereby quashed, petitioner have undertaken to pay an amount of Rs.10,000/- (Rupees Ten Thousand Only) in favour of Director, Sainik Welfare, Hyderabad, (Savings A/c.No. **52188926279**, State Bank of India, Shantinagar Branch & 20070, IFSC Code: SBIN0020070, MICR No. 500004057), within a period of one week from today, and file proof of the same into the Registry.

As a sequel, the miscellaneous Petitions, pending if any, shall stand closed.

//TRUE COPY//

Sd/- N. SRIHARI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Additional Junior Civil Judge Cum XII Additional Metropolitan Magistrate, Rajendranagar.
2. The Station House Officer, RGI Shamshabad Police Station, Cyberabad.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad.(OUT)
4. One CC to SRI. MOHD RIYAZ PASHA Advocate [OPUC]
5. One CC to SRI. MOHAMMED MASOOD ALI Advocate [OPUC]

6. The Secretary Telangana High Courts Advocate Association, Hyderabad.

7. Two CD Copies

(along with a copy of Joint memo of compromise)

Cost Memo:

Note: Amount paid by Petitioner/accused Nos.1 to 3, towards 10,000/- (Ten Thousand Only) in favour of Director, Sainik Welfare, Hyderabad, (Savings A/c.No. 52188926279, State Bank of India, Santinagar Branch(20070), IFSC Code-SBIN0020070, MICR No.500004057.

USRNo. /22 date: / /2022

CDL
PR

HIGH COURT

DATED:30/12/2022

COMMON ORDER

CRL.P.No.9384 of 2022

ALONG WITH I.A.Nos. 1 and 2 OF 2022

ALLOWING THE CRIMINAL PETITION



10 pmg.
28/1/23.

Memorandum of Criminal Petition
(Under Section 482 of Cr.PC)

520(2-)

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

At No. 2 J. 3022

Crl.P. No. 7264 of 2022

IN

C. C No: 3681 of 2021

(On the file of Honourable Addl. Junior Civil Judge Cum XII Addl.

Metropolitan Magistrate, Rajendranagar

Between:

1. Mr. Mohd Yousuf Uddin S/o Late Naseeruddin
Aged about 53 years R/o 6-2861,
Meer Bagh colony, Nalgonda.

2. Mrs. Parveen sultana W/o Matheen Ahmed
Aged about 35 years R/o 6-2861,
Meer Bagh colony, Nalgonda.

3. Mr. Matheen Ahmed S/o late Basheer Uddin
Aged about 48 years R/o 6-2861,
Meer Bagh colony, Nalgonda. ... Petitioners / Accused 1, 2 & 3 AND

AND

1. Mrs. Ayesha Begum
W/o Mohd Yousuf Uddin,
aged about 42 years ,
R/O 12-45/2, YNR Colony, Satamrai,
Shamshabad, Ranga Reddy Dist.

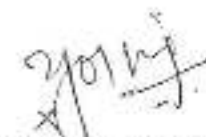
2. The State of Telangana,
through SHO, RGI Shamshabad Police Station,
Police Station, Cyberabad,
rep. by its Public Prosecutor,
High Court of Telangana, at Hyderabad. ... Respondent/Defacto Complain

JOINT MEMO FILED BY THE BOTH PARTIES

It is submitted that the Petitioners/Accused 1, 2 & 3 and the
Respondent No. 2/Defacto petitioner were compromised before the

elders & well-wishers, and /petitioner have no objections to quashing the proceedings in C.C No: 3681/2021, for the offences U/Sec.498-A, and Section 3 & 4 of D.P Act pending on the file of Addl. Junior Civil Judge Cum XII Addl. Metropolitan Magistrate, Rajendranagar in the interest of justice.

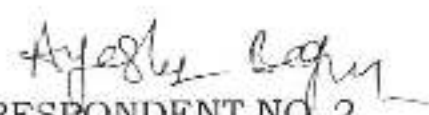

COUNSEL FOR THE PETITIONERS


PETITIONER/ACCUSED NO.1


PETITIONER/ACCUSED NO.2


PETITIONER/ACCUSED NO.3


COUNSEL FOR THE 2ND RESPONDENT


RESPONDENT NO. 2

Hyderabad

Dated: 20.10.2022