IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE TWENTY FIRST DAY OF FEBRUARY TWO THOUSAND AND TWENTY FOUR

PRESENT
THE HONOURABLE SMT JUSTICE K. SUJANA

I.A.No.2 of 2024
IN/AND
CRIMINAL PETITION No: 1316 OF 2024

Between:

1. Emmadishetty Prashanth, S/o. Ernmadhishetty Venugopal, aged about 30 years, Occ. Software Engineer, N/o. H. No.17-1-388/P/20, Purnodaya colony, Saidabad, Hyderabad, Telangana - 500 59, currently residing at York Plaza Apartment, 7240 York Avenue South, 307 Edina, Minnesota state, United States of America - 55435. Petitioner/Accused No. 1 is currently residing in USA and thus is being represented by his father and authorized SPA holder, Emmadishetty Venugopal, petitioner/ accused No. 2 herein.
2. Emmadishetty Venu Gopal, S/o. Late Emmadishetty Ramakrishna Rao, aged about 61 years, Occ. Retd. Employee, H. No. 17-1-388/P/20, Purnodaya colony, Saidabad, Hyderabad, Telangana - 500 59.
3. Emmadishetty Laxmi, W/o. Emmadishetty Venugopal, aged about 52 years, Occ. Homemaker, R/o. H. No. 17- 1-388/P/20, Purnodaya colony, Saidabad, Hyderabad, Telangana - 500 59.

...Petitioners/Accused

AND

1. State of Telangana, rep. by the Public Prosecutor, High Court, Hyderabad.

.....Respondent/Complainant

2. Rayapudi Meghana, W/o. Emmadishetty Prashanth, D/o. Rayapudi Mahesh Kumar, aged about 27 years, Occ. Homemaker, R/o. Flat No. 207, C-Block, NCL Godawari Homes, Jeedimetta village, Quthbultapur mandal, Medchal - Malkajgiri district, Telangana - 500 067.

...Respondent/Defacto-Complainants

Petition under Section 437/438/439/482 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 C.C. No. 2575 of 2023, pending on the file of the IX Additional Metropolitan Magistrate at Medchal - Malkajgiri district considering the compromised arrived between the petitioners and respondent No. 2.

I.A. NO: 2 OF 2024

Between:

Rayapudi Meghana, W/o. Emmadishetty Prashanth, D/o. Rayapudi Mahesh Kumar, aged about 27 years, Occ. Homemaker, R/o. Flat No. 207, C-Block, NCL Godawari Homes, Jeedimetta village, Quthbultapur mandal, Medchal - Malkajgiri district, Telangana - 500 067.

...Petitioner /Respondent No.2/Defacto-Complainant

And

1. Emmadishetty Prashanth, S/o. Ernmadhishetty Venugopal, aged about 30 years, Occ. Software Engineer, N/o. H. No.17-1-388/P/20, Purnodaya colony, Saidabad, Hyderabad, Telangana - 500 59, currently residing at York Plaza Apartment, 7240 York Avenue South, 307 Edina, Minnesota state, United States of America - 55435. Petitioner/Accused No. 1 is currently residing in USA and thus is being represented by his father and authorized SPA holder, Emmadishetty Venugopal, petitioner/ accused No. 2 herein.
2. Emmadishetty Venu Gopal, S/o. Late Emmadishetty Ramakrishna Rao, aged about 61 years, Occ. Retd. Employee, H. No. 17-1-388/P/20, Purnodaya colony, Saidabad, Hyderabad, Telangana - 500 59.
3. Emmadishetty Laxmi, W/o. Emmadishetty Venugopal, aged about 52 years, Occ. Homemaker, R/o. H. No. 17- 1-388/P/20, Purnodaya colony, Saidabad, Hyderabad, Telangana - 500 59.

...Rspondents/Petitioners/Accused

4. State of Telangana, rep. by the Public Prosecutor, High Court, Hyderabad.

.....Respondent/Complainant

Petition under Section 320 (6) of Cr.P.C praying that in the circumstances stated in the affidavit accompanying the Joint Memo and Petition, the High Court may be pleased to record the compromise between the petitioner / respondent no. 2 / defacto- complainant and respondents/ petitioners / accused and to quash the proceedings in C.C. No. 2575 of 2023, pending on the file of the IX Additional Metropolitan Magistrate, Medchal, Medchal - Malkajgiri District, for the offences under sections 498-A and 420 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

This Criminal Petition and coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and Interlocutory application No.2/202 and upon perusing the affidavit accompanying the Joint Memo and Petition and upon hearing the arguments of SRI CH MANI CHARAN, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1 and Sri P. Sree Kumar, Advocate for the Respondent No.2.

The Court made the following: COMMON ORDER

THE HONOURABLE SMT. JUSTICE K.SUJANA

I.A.No.2 of 2024
in/and
CRIMINAL PETITION No.1316 of 2024

COMMON ORDER:

It is submitted by the learned counsel appearing for the petitioner as well as the respondent No.2, that during pendency of the present Criminal Petition, the parties have compromised the matter and accordingly, I.A.No.2 of 2024 has been filed to record the compromise between them.

2. Vide order dated 05.02.2024, this Court directed the parties along with their respective counsel to appear before the Secretary, High Court Legal Services Committee, High Court for the State of Telangana, Hyderabad, for identification and to submit a report.

3. Pursuant to the above said direction issued by this Court, the parties have appeared and the Secretary, High Court Legal Services Committee, has identified the parties and submitted a report, dated 13.02.2024 and the same is placed on record.

4. In view of the above, I.A.No.2 of 2024 is allowed. Consequently, this Criminal Petition is allowed and the proceedings in C.C.No.2575 of 2023 on the file of the learned IX Additional Metropolitan Magistrate, Medchal-Malkajgiri District

at Medchal against the petitioners/accused are hereby quashed subject to paying an amount of Rs.5,000/- (Rupees Five Thousand Only) to the Director, Sainik Welfare, Hyderabad (Savings A/c.No.52188926279, State Bank of India, Shantinagar Branch (20070), IFSC Code :SBIN0020070, MICR No.500004057) and Rs.5,000/- (Rupees Five Thousand Only) to the Telangana High Court Advocates Association, Hyderabad, within a period of two (02) weeks from today and file proof of the same before the Registry.

Miscellaneous applications, if any pending, shall stand closed.

Sd/- K.AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The IX Additional Metropolitan Magistrate at Medchal - Malkajgiri District
2. The Station House Officer, Petbasheerabad Police Station, Cyberabad.
3. Two CCs the PUBLIC PROSECUTOR, High Court for the State of Telagana, Hyderabad (OUT)
4. One CC to SRI CH. MANI CHARAN, Advocate (OPUC)
5. One CC to SRI P. SREE KUMAR, Advocate (OPUC)
6. Two CD Copies

(Along with a copy of Joint Memo of Compromise)

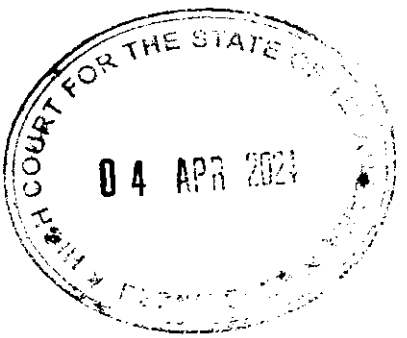
NOTE: Amount paid by Sri P. SREE KUMAR, Counsel for the petitioner towards costs of Rs.5,000/- (Rupees Five Thousand only) directed by the Hon'ble Court, dated 21.02.2024 to the Sainik Welfare Board, Hyderabad vide its Account No.52188926279 and filed Memo of Proof of Compliance vide USR No22612 of 2024 dated 01.03.2024.

HIGH COURT

DATED:21/02/2024

COMMON ORDER

I.A.No.2 of 2014
in/And
CRLP.No.1316 of 2024



ALLOWING THE I.A.No.2 of 2024

Of CRL.P. No.1316 of 2024

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IN THE HIGH COURT OF JUDICATURE FOR THE STATE OF TELANGANA
AT HYDERABAD.

I.A. No. ..... of 2024.

IN

CRL.P. No. 1316 of 2024.

AGAINST

C.C. No. 2575 of 2023.

BETWEEN

Rayapudi Meghana, W/o. Emmadishetty Prashanth, D/o. Rayapudi Mahesh Kumar, aged about 27 years, Occ: Homemaker, R/o. Flat No. 207, C-Block, NCL Godawari Homes, Jeedimetla village, Quthbullapur mandal, Medchal – Malkajgiri district, Telangana – 500 067. ... Petitioner / Respondent No. 2 / Defacto-Complainant

AND

1. Emmadishetty Prashanth, S/o. Emmadhishetty Venugopal, aged about 30 years, Occ: Software Engineer, N/o. H. No. 17-1-388/P/20, Purnodaya colony, Saidabad, Hyderabad, Telangana – 500 59, currently residing at York Plaza Apartment, 7240 York Avenue South, #307 Edina, Minnesota state, United States of America – 55435.

   Petitioner/Accused No. 1 is currently residing in USA and thus is being represented by his father and authorized SPA holder, Emmadishetty Venugopal, petitioner/ accused no. 2 herein.

2. Emmadishetty Venu Gopal, S/o. Late Emmadishetty Ramakrishna Rao, aged about 61 years, Occ: Retd. Employee, H. No. 17-1-388/P/20, Purnodaya colony, Saidabad, Hyderabad, Telangana – 500 59.

3. Emmadishetty Laxmi, W/o. Emmadishetty Venugopal, aged about 52 years, Occ: Homemaker, R/o. H. No. 17-1-388/P/20, Purnodaya colony, Saidabad, Hyderabad, Telangana – 500 59. ... Respondents / Petitioners / Accused

4. State of Telangana rep. by the Public Prosecutor, High Court, Hyderabad. ... Respondent / Complainant

COMPROMISE PETITION

It is, therefore, prayed that this Honorable Court may be pleased to record the compromise between the petitioner / respondent no. 2 / defacto-complainant and respondents / petitioners / accused and to quash the proceedings in C.C. No. 2575 of 2023, pending on the file of the Learned IX Additional Metropolitan Magistrate, Medchal, Medchal – Malkajgiri district, for the alleged offences under sections 498-A and 420 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act and/or to pass such other order or orders as may be deemed fit and proper in the circumstances of the case.

Date: 02/12/2024
Place: Hyderabad.

COUNSEL FOR THE PETITIONER / RESPONDENT NO.2 / DEFACTO-COMPLAINANT

IN THE HIGH COURT OF JUDICATURE FOR THE STATE OF TELANGANA AT HYDERABAD.

I.A. No. ..... of 2024.

IN

CRL.P. No. ..... of 2024.

AGAINST

C.C. No. 2575 of 2023.

BETWEEN

Emmadishetty Prashanth and 2 others ... Petitioners / Accused

AND

State of Telangana rep. by the Public Prosecutor, High Court, Hyderabad and another. ... Respondents / Complainant

JOINT MEMO FILED ON BEHALF OF THE PETITIONERS AND RESPONDENT NO.2

1. It is to submit that due to the intervention of elders and well-wishers, the petitioner no.1 and respondent no. 2 entered into compromise, wherein, the respondent no.2 / defacto-complainant agreed to withdraw all her allegations against the petitioners /accused. She is no longer willing to pursue the criminal proceedings against the petitioners. As a matter of fact, the respondent no. 2 / defacto-complainant hereby withdraws all her allegations against the petitioners and that such a stand was taken by her voluntarily without receiving any kind of pressure or coercion. On 07.12.2023, a separate memorandum of understanding is executed by petitioner no.1 (through his authorized representative) and the respondent no. 2. Further, they undertake to adhere to the terms and conditions stipulated in the said memorandum of understanding.

2. The respondent no. 2, agreed to withdraw all her allegations and since the offences alleged against the petitioners are private and matrimonial in nature, respondent no. 2 may be permitted to withdraw her allegations against the petitioners and quash the proceedings in C.C. No. 2575 of 2023, pending on the file of the Learned

IX Additional Metropolitan Magistrate, Medchal-Malkajgiri district at Medchal, for the alleged offences under sections 498-A, 420 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act and/or to pass such other order or orders as may be deemed fit and proper in the circumstances of the case..

Hence this Joint Memo.

Date: 22/02/2024,
Place: Hyderabad.

Petitioner No. 1
[EMMADISHETTY PRASHANTH]
[Signed by authorised SPA Holder, Petitioner No. 2 herein]

Petitioner No. 2
[EMMADISHETTY VENU GOPAL]

Petitioner No. 3
[EMMADISHETTY LAXMI]

Respondent No. 2
[RAYAPUDI MEGHANA]

Counsel for the Petitioners

Counsel for the Respondent No. 2