

HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

CrI.P.M.P.No.17661 of 2016 in CRL.P.No.15582 OF 2016

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ORDER:

This petition is filed under Section 320 of Criminal Procedure Code (for short "Cr.P.C.") seeking permission to compound the Crime No.67 of 2016 of Tsundur Police Station, Guntur District, registered for the offence punishable under Sections 447, 354(A) (ii) (C) 506 and 509 of Indian Penal Code (for short "I.P.C.")

In "*Gian Singh v. State of Punjab and Anr.*"<sup>1</sup> the Apex Court held that depending upon the facts and circumstances of each case, the High Court can exercise its inherent power under Section 482 Cr.P.C., however before exercising such power, High Court must have due regard to nature and gravity of crime and its social impact. It is further held that heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc., could not be fittingly quashed even though victim or victim's family and offender have settled dispute. Such offences were not private in nature and have serious impact on society. Similarly any compromise between victim and offender in relation to offences under special statutes like Prevention of Corruption Act or offences committed by public

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<sup>1</sup> (2012) 10 SCC 303

servants while working in that capacity etc; could not provide for any basis for quashing criminal proceedings involving such offences.

By applying the principle laid down in the above judgment, since the settlement is in the interest of both parties, I find that it is a fit case to permit the petitioner to compound the offence.

Accordingly, permission is accorded as sought for.

CRL.P.No.15582 OF 2016.

In view of the order passed in Crl.P.M.P.No.17661 of 2016 in CRL.P.No.15582 OF 2016, this petition is allowed. No costs.

As a sequel to the disposal of this petition, the Miscellaneous Petitions, if any, pending, shall stand dismissed.



JUSTICE M.SATYANARAYANA MURTHY

Dated 31-10-2016.

Dvs.

HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY



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Dated 31-10-2016.

Dvs