

THE HON'BLE SRI JUSTICE K. SREENIVASA REDDY

I.A.Nos.1 of 2022 and 2 of 2022
in Criminal Revision Case No.483 of 2020
and
Criminal Revision Case No.483 of 2020

COMMON ORDER :

Criminal Revision Case No.483 of 2020 has been filed against the judgment dated 14.12.2020 in Criminal Appeal No.15 of 2019 on the file of the Principal District and Sessions Judge, Srikakulam.

2. Petitioner herein is A.1 in Calendar Case No.187 of 2016 on the file of the Judicial Magistrate of First Class, Ponduru. He was tried in the said Calendar Case, along with A.2 to A.4, for the offences punishable under Sections 498A IPC and 3 and 4 of the Dowry Prohibition Act, 1961. Vide judgment dated 06.05.2019, the trial Court found A.2 to A.4 not guilty of the said offences and accordingly acquitted them of the said offences. The trial Court found the petitioner/A.1 not guilty of the offence punishable under Section 3 of the Dowry Prohibition Act, 1961 and accordingly acquitted

him of the said offence. However, the trial Court found the petitioner/A.1 guilty of the offences punishable under Sections 498A IPC and 4 of the Dowry Prohibition Act, 1961, accordingly, convicted him of the said offence and sentenced to undergo rigorous imprisonment for a period of two years and to pay a fine of Rs.1,000/- in default to suffer simple imprisonment for a further period of one month for the offence punishable under Section 498A IPC and also sentenced him to undergo rigorous imprisonment for a period of six months and to pay a fine of Rs.500/- in default to suffer simple imprisonment for a further period of fifteen days for the offence punishable under Section 4 of the Dowry Prohibition Act, 1961. Aggrieved by the same, the petitioner/A.1 preferred Criminal Appeal No.15 of 2019 and the defacto complainant filed Criminal Appeal No.19 of 2019, before the appellate Court. The appellate Court, vide the impugned common judgment dated 14.12.2020, partly allowed Criminal Appeal No.15 of 2019 filed by the petitioner/A.1 setting aside the

conviction and sentence imposed by the trial Court against him for the offence punishable under Section 4 of the Dowry Prohibition Act, 1961, while confirming the conviction and sentence imposed by the trial Court against him for the offence punishable under Section 498A IPC. The appellate Court dismissed Criminal Appeal No.19 of 2019 filed by defacto complainant. Aggrieved by the same, the petitioner/A.1 preferred the present Criminal Revision Case.

3. During pendency of the Criminal Revision Case, the defacto complainant filed I.A.Nos.2 of 2022 and 1 of 2022 seeking to permit her to compound the offence, and to record the compromise arrived at, between the parties. A Joint Memo, signed by both the parties, is annexed to I.A.No.1 of 2022.

4. Today, both the parties are present before the Court. They are identified by their respective counsel. They filed copies of their respective Aadhar cards. Originals are produced for perusal of the Court.

Defacto complainant stated that at the intervention of elders, she settled the subject dispute with the petitioner/A.1 and in view of the compromise arrived at, between the parties, she is not interested in pursuing the matter further, and she prays the Court to allow the revision by setting aside the conviction and sentence recorded by the trial Court, as confirmed by the appellate Court in the impugned judgment.

5. A perusal of the Joint Memo, signed by both the parties, annexed to I.A.No.1 of 2022 goes to show that both the parties settled the disputes at the intervention of elders and the defacto complainant has no objection to set aside the conviction and sentence imposed by the trial Court as confirmed by the appellate Court.

6. This Court is satisfied with the identification of the parties and voluntariness in arriving at the compromise. In view of the same, there is no hindrance to permit the parties to compromise. Accordingly,

permission is accorded to the parties to compound the offence and the conviction and sentence recorded in the judgment dated 06.05.2019 in Calendar Case No.187 of 2016 on the file of the Judicial Magistrate of First Class, Ponduru, as confirmed by the appellate Court in the judgment dated 14.12.2020 in Criminal Appeal No.15 of 2019 on the file of the Principal District and Sessions Judge, Srikakulam, against the petitioner/A.1 are set aside. The petitioner/A.1 is found not guilty of the offence punishable under Section 498A IPC and is acquitted of the said offence in terms of Section 320 (8) Cr.P.C.

7. Accordingly, the Criminal Revision Case is allowed. I.A.Nos.1 of 2022 and 2 of 2022 are ordered.

Miscellaneous Petitions, if any, pending in this Criminal Revision Case, shall stand closed.

JUSTICE K. SREENIVASA REDDY

31.10.2022.
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**THE HONOURABLE SRI JUSTICE K. SREENIVASA
REDDY**

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