



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

**THURSDAY, THE FIFTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 3791 OF 2023

Between:

1. P. Sravan Kumar, S/o P. Mallikarjuna Age 39 years, Occ. Software engineer H.No. 6-7-77/2, Thandur Village, RangaReddy District, Telangana
2. P. Mallikarjuna, S/o P.Nagappa Age 70 years, Occ. Business H.No. 6-7-77/2, Thandur Village, RangaReddy District. Telangana
3. P. Aruna, W/o P. Mallikarjuna Age 60 years, Occ. House Hold H.No. 6-7-77/2, Thandur Village, RangaReddy District, Telangana
4. P.Sravanthi, D/o P. Mallikarjuna Age 32 years, Occ. Software engineer H.No. 6-7-77/2, Thandur Village, RangaReddy District, Telangana

...Petitioners/Accused No.1 to 4

AND

1. The State of Andhra Pradesh, Rep. through the Public Prosecutor, High Court of Andhra Pradesh, Amaravati
2. V. Ashwini, D/o V. Devendra Goud, R/o 21/375. RVS Colony, Adoni, Kurnool. Andhra Pradesh

...Respondents

Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the grounds filed in Criminal Petition, the High Court may be pleased to quash C.C No. 399 of 2022 on the file of Judicial First Class Magistrate cum Junior Civil Judge, Yemmiganur, Kurnool District.

IA NO: 1 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the grounds filed in Criminal Petition, the High Court may be pleased to stay all further proceedings including the appearance of the petitioners in C.C. No. 399 of 2022 on the file of Judicial First Class Magistrate cum Junior Civil Judge, Yemmiganur, Kurnool District, pending disposal of CRLP 3791 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri V Seetharama Avadhani, Advocate for the Petitioners and of Public Prosecutor for the Respondent No.1, the Court made the following

ORDER:

"Learned Assistant Public Prosecutor takes notice on behalf of 1st Respondent and seeks time to get instructions.

Learned counsel for the petitioners is permitted to take out personal notice to Respondent No.2 by Registered Post with Acknowledgment Due and file proof of service within a period of three (3) weeks.

A charge sheet has been filed against the petitioners and another for the offences punishable under Sections 498-A, 420 read with 34 IPC and Sections 3 and 4 of the Dowry Prohibition Act.

Earlier, M.O.P.No.104 of 2018 has been filed by the 1st petitioner and 2nd respondent herein, on the file of the learned Senior Civil Judge, Adoni, seeking divorce by mutual consent and by an order dated 04.03.2020, the learned Senior Civil Judge, Adoni, allowed the petition by dissolving the marriage between 1st petitioner and 2nd respondent herein which was solemnized on 15.05.2015 by decree of divorce, by way of mutual consent.

A perusal of said order goes to show that both the parties entered into compromise and the 1st petitioner herein agreed to pay 2nd respondent herein an amount of Rs.5,00,000/- as life time maintenance and 2nd respondent agreed to withdraw criminal case arising out of Crime No.74 of 2017 and other cases also. Though there is an agreement between both the parties to that extent in compromising the whole issue, 2nd respondent has not turned up in withdrawing the complaint which has been filed as against the petitioners herein. Once there is compromise entered between both the parties, the complainant cannot go back from the compromise which has been entered between both the parties and continue the case without compounding the same. The matter requires examination.

In view of the aforesaid reason, there shall be stay of all further proceedings against the petitioners herein in C.C.No.399 of 2022 on the file of the learned Judicial Magistrate of First Class, Yemmiganur, Kurnool District, in so far petitioners are concerned, for a period of eight (8) weeks.

Post after six (6) weeks."

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The Judicial First Class Magistrate cum Junior Civil Judge, Yemmiganur, Kurnool District.
2. V. Ashwini, D/o V. Devendra Goud, R/o 21/375. RVS Colony, Adoni, Kurnool. Andhra Pradesh(by RPAD)
3. One CC to Sri. V Seetharama Avadhani, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy.

MSB

HIGH COURT

SRK,J

DATED:15/06/2023

ORDER

POST AFTER SIX (6) WEEKS

CRLP.No.3791 of 2023

INTERIM STAY

