

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2015

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Crl.R.C.No.879 of 2014

Mr.Roy Augustine

.. Petitioner
(Accused)

Vs.

K.Parthasarathy

.. Respondent
(Complainant)

PRAYER: Criminal Revision Case is filed under Section 397 r/w 401 of Code of Criminal Procedure, against the judgment dated 28.08.2014 in C.A.No.33 of 2014 on the file of the learned VI Addl. Judge, Chennai confirming the judgment dated 17.01.2014 in C.C.No.4973 of 2011 on the file of the Fast Track Court-III at Saidapet (but modifying the punishment only to undergo imprisonment for one year)

For Petitioner : Mr.K.F.Manavalan

For Respondent : Mr.A.Palaniappan

O R D E R

Being aggrieved by the order passed in C.A.No.33 of 2014 dated 28.08.2014 by the learned VI Addl. Judge, Chennai, confirming the judgment dated 17.01.2014 in C.C.No.4973 of 2011 on the file of the Fast Track Court-III at Saidapet, this revision case is filed.

2. Today, when the matter is taken up, both parties represented that they have settled the matter. They have also filed a memo seeking Leave to Compound the offence, which was signed by both the parties.

3. Considering the fact that the dispute has been compromised between the parties, the respondent is permitted to compound the offence against the petitioner as per the decision of the Honourable Supreme Court in (i) B.M. Joshi vs. State of Haryana (2003) 4 SCC 675 (ii) Nikhil Merchant vs. C.B.I. 2008 (3) SCC CrI 858 (iii) Jagdish Chanana and others vs. State of Haryana 2009 (3) SCC CrI. 1157. Accordingly, following the decisions of the Honourable Supreme Court referred to above, this Court is of the view that the proceedings against the petitioner could be set aside. Consequently, the

Judgment dated 28.08.2014 made in C.A. No.33 of 2014 on the file of the learned VI Additional Judge, Chennai confirming the order dated 17.01.2014 made in C.C. No.4973 of 2011 on the file of the Fast Track Court-III at Saidapet are set aside. The Criminal Revision Case is allowed.

-Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

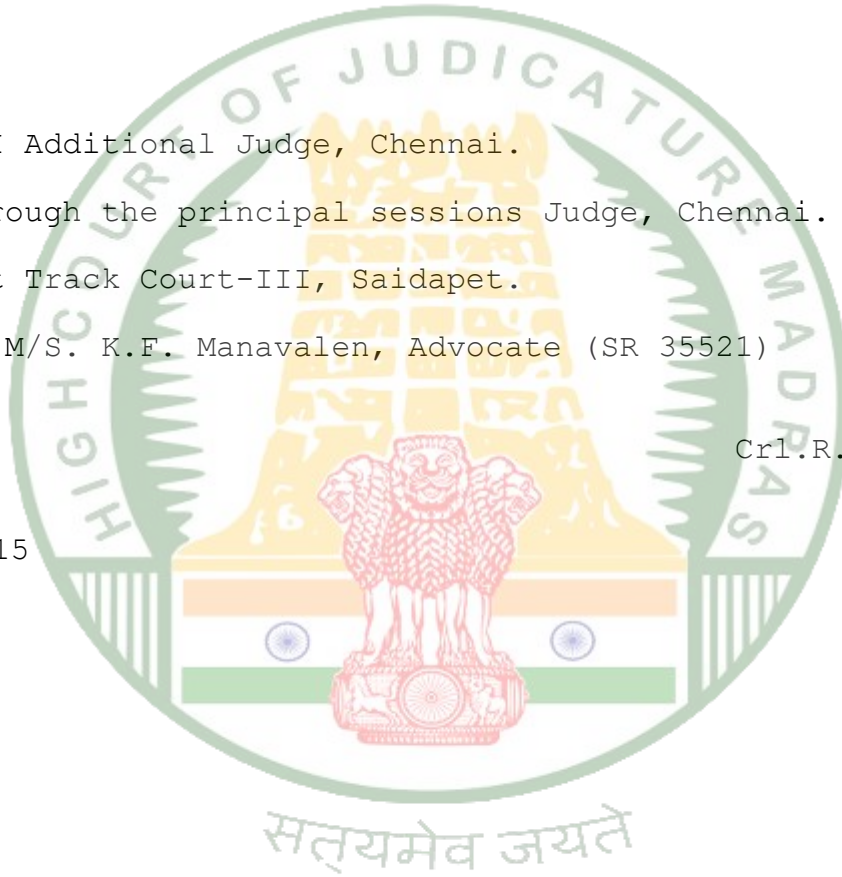
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To

- 1.The VI Additional Judge, Chennai.
 - 2.-do- Through the principal sessions Judge, Chennai.
 - 3.The Fast Track Court-III, Saidapet.
- + 1 cc to M/S. K.F. Manavalen, Advocate (SR 35521)

Cr1.R.C.No.879 of 2014

PPA (CO)
YJ 24.07.15



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