

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.9754 of 2015
& MP.No.1 of 2015

- 1.M/s.Tamboli Osborn Metaltech Pvt Ltd.,
Rep.by its Director Vaibhav B.Tamboli,
Presently rep.by its Deputy Manager,Mr.Vipul H.Pathak,
Plot No.146-B, GIDC, Vartej,
Bhavnagar, Gujarat-364 060.
- 2.Vaibhav B.Tamboli,
Director,
M/s,Tamboli Osborn Metaltech Pvt Ltd.,
Plot No.146-B, GIDC, Vartej,
Bhavnagar, Gujarat-364 060.
- 3.Darshan G.Bhatt, Manager,
M/s,Tamboli Osborn Metaltech Pvt Ltd.,
Plot No.146-B, GIDC, Vartej,
Bhavnagar, Gujarat-364 060. ... Petitioners/Accused
- Vs
- M/s.J.R.Furnace and Ovens Pvt Ltd.,
Rep.by its Managing Director,
Sri.R.Jaya Shankar,
L4, SIDCO Industrial Estate,
Villivakkam,
Chennai-600 049. ... Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C.,
to call for the records in C.C.No.183 of 2015 on the file of the
Learned X Metropolitan Magistrate at Egmore, Chennai and quash the
proceedings as null and void.

For Petitioners : Dr.Mathivanand

ORDER

The Criminal Original Petition has been filed praying for a
direction to call for the records in C.C.No.183 of 2015 on the file
of the Learned X Metropolitan Magistrate at Egmore, Chennai and quash
the proceedings as null and void.

2. Heard the learned counsel for the petitioner.

3.The petitioners who are the accused in C.C.No.183 of 2015 on the file of the Learned X Metropolitan Magistrate at Egmore, Chennai, have approached this Court for quashing the prosecution case on the ground that the petitioner/accused and the complainant have arrived at a amicable settlement.

4. On a perusal of the materials available on record, it is seen that the respondent/complainant filed a private complaint before the Learned X Metropolitan Magistrate at Egmore, Chennai, which was taken on file in C.C.No.183 of 2015 for offences under Sections 420 and 406 of IPC. During the pendency of the private complaint, the parties appear to have entered into a compromise and a copy of the compromise agreement dated 16.05.2015 has been filed before this Court.

5. The learned Counsel for the complainant submits that since both the parties have arrived at an amicable settlement, he has no objection for quashing the prosecution against the petitioner/accused. Relying upon the judgment of the Supreme Court in Narinder Singh and Others Vs. State of Punjab and another (2014) 6 Supreme Court case 466, the proceedings in C.C.No.183 of 2015, pending on the file of the Learned X Metropolitan Magistrate at Egmore, Chennai is quashed. Consequently, connected miscellaneous petition is also closed.

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s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1.The learned X Metropolitan Magistrate at Egmore,
Chennai.

2.-do- thro'The Chief Metropolitan Magistrate,
Egmore, Chennai.

+ 2 ccs to Dr.Mathivanan, Advocate SR 29667

gj(co)
prk18/6

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