

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.OP.No.11610 of 2019

Mr.Sunil Bafna ... Petitioner
Managing Director,
M/s.Jain Granites India Ltd.,
having registered Office at
Jain Group Towers, Harrington Road,
Aminjikarai, Chennai - 600 030.

Vs.

1.State-Sub-Inspector of Police,
EDF 2, Team 3, Central Crime Branch,
Vepery, Chennai - 600 007.

2.Sunil Duseja,
Proprietor,
Sri Sathya Sai Exports,
Gee Gee Manor, No.23,
College Road, Chennai - 600 006.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the case pending investigation in Crime/FIR No.114/2017 on the file of the respondent police and quash the same.

For Petitioner : Ms.M.Sheela

For Respondents: Mr.M.Mohamed Riyaz for R1
Additional Public Prosecutor

Mr.Anantha Krishnan for R2

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.114 of 2017, on the file of the first respondent police.

2.The case is still in the stage of investigation. By passage of time, the second respondent has decided to bury his hatchet and compromise the dispute amicably.

3.An affidavit has been filed by the second respondent before this Court which has been signed by the second respondent and also by his respective counsel. All the parties are present and identified by their respective counsel and the Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4.Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in 2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujraht), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.114 of 2017.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.114 of 2017, on the file of the respondent Police, EDF 2, Team 3, Central Crime Branch, is quashed and the terms of Memorandum of Understanding shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.10,000/-, as costs, to Udhavum Karangal, No.460, 25th Street, NSK Nagar, Arumbakkam, Chennai - 600 106 (Old age home/orphanage), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

*Copy of the Consent Affidavit of Sunil Duseja

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

pam

To

1.The Sub-Inspector of Police,
EDF 2, Team 3, Central Crime Branch,
Vepery, Chennai - 600 007.

2.The Public Prosecutor,
High Court, Chennai-104.

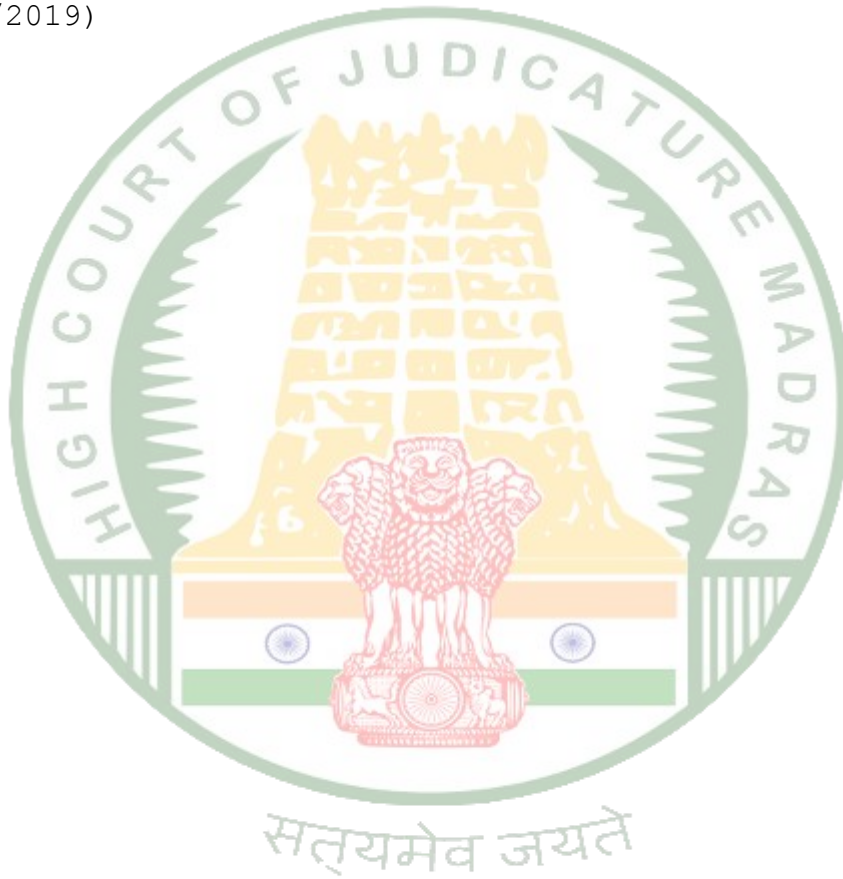
3.Udhavum Karangal,
No.460, 25th Street,
NSK Nagar, Arumbakkam,
Chennai - 600 106 (Old age home/orphanage)

4. The Registrar (Judl)
High Court, Madras

+3cc to M/s.M.Sheela, Advocate SR.No.42118

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PPA (CO)
GMY (25/06/2019)



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