

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.OP No.11840 of 2019
and
Crl.M.P.No.6121 of 2019

Mr.Dipan Nath ... Petitioner

.Vs.

1. The Inspector of Police,
E-8, Kelambakkam Police Station,
Kancheepuram District.

2.Mr.Mohamed Asadullah ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records on the file of the 1st respondent in Crime No.45 of 2019, under Section 147, 294(b), 420, 341, 342 & 506(i) IPC and quash the same as illegal and not maintainable.

For Petitioner : Mr.Adhinarayana Rao

For R 1 : Mr.M.Mohamed Riyaz, APP

ORDER

This Criminal Original Petition has been filed to quash the First Information Report registered in Crime Nos.44 & 45 of 2019 (case and counter), for an alleged offence under Sections 147, 294(b), 420, 341, 342 & 506(i) of IPC , on the file of the 1st respondent.

2. The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A joint memo of compromise, dated 14.06.2019, has been filed before this Court which has been signed by the petitioner and the second respondent and also their respective counsel. In order to identify the respective parties they have also produce the copy of the Aadhaar Card is made part of the record. The petitioner and the 2nd respondent were also present in person before this Court and they were identified by Mr.S.Venkatesan, SSI of Police, E-8, Kelambakkam Police Station. 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C, quashes the First Information Report in Crime No.45 of 2019.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime Nos.44 & 45 of 2019 (case and counter), on the file of the Inspector of Police, E-8, Kelambakkam Police Station, Kancheepuram District, is hereby quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner and the 2nd respondent shall pay a sum of Rs.1000/- as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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.

Consequently, Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

To

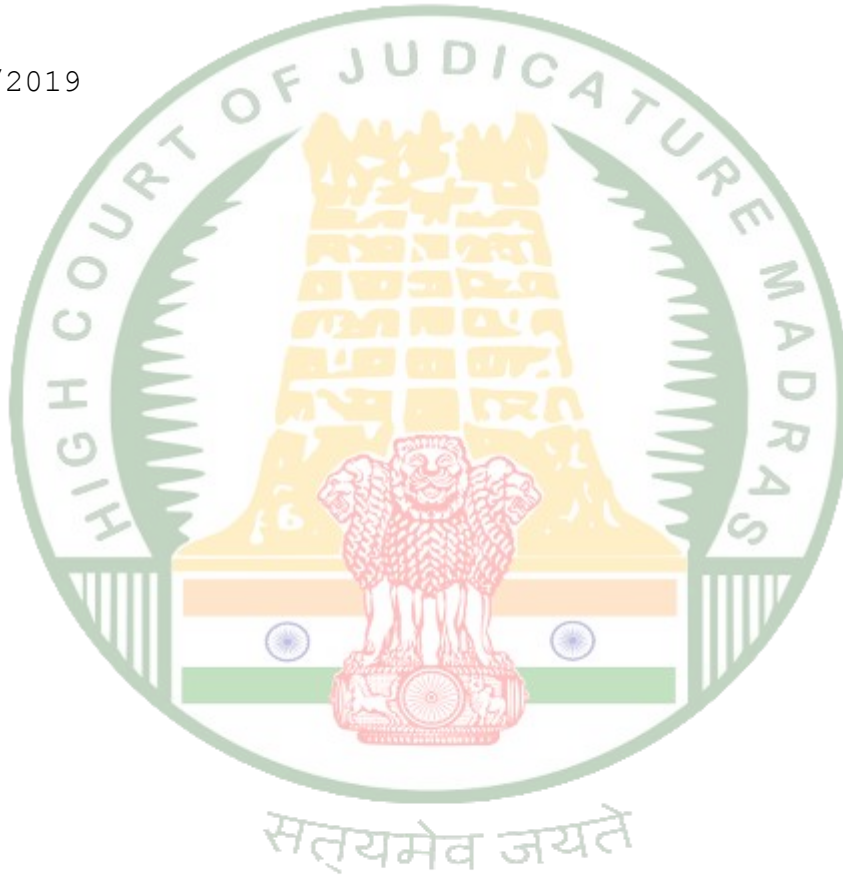
1.The Inspector of Police,
E-8, Kelambakkam Police Station,
Kancheepuram District.

2.The Public Prosecutor,
High Court of Madras.

3.The Section Officer,
Accounts Section,
High Court, Madras.

Cr1.O.P. No.11840 of 2019

rsv[co]
srg 11/07/2019



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