

IN THE HIGH Court OF JUDICATURE AT MADRAS

DATED: 14.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.15199 of 2019

Syed Mustafa Basha

.. Petitioner/Accused

Vs.

1. State rep by
Inspector of Police,
K-9, Thiru-vi-ka Nagar Police Station,
Chennai-600 011.
Cr.No.479 of 2019.

2. Fathima .. Respondents/Complainant &
De-facto Complainant

PRAYER :

Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records and to Quash the F.I.R. in Cr.No.479 of 2019 dated 10.04.2019 on the file of the 1st Respondent against the petitioner under the ground of compromise.

For Petitioner : Mr.M.Anandaraj

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

ORDER

The Criminal Original Petition has been filed to call for the records and to Quash the F.I.R. in Cr.No.479 of 2019 dated 10.04.2019 on the file of the 1st Respondent against the petitioner under the ground of compromise.

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

3.An affidavit has been filed before this Court which have been signed by the 2nd respondent/defacto complainant and also by her counsel. In order to identify the respective parties they

have also produce the copy of the Aadhaar Card is made part of the record. 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.479 of 2019.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.479 of 2019, on the file of the respondent police, is quashed and the terms of affidavit of 2nd respondent/defacto complainant shall form part and parcel of this order. The petitioner shall pay a sum of Rs.2,500/- (Rupees Two Thousand and Five Hundred only) 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.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vs

To

1. The Inspector of Police,
K-9, Thiru-vi-ka Nagar Police Station,
Chennai-600 011.

2. The Public Prosecutor,
Madras High Court.

+1cc to Mr.M.Anandaraj, Advocate, S.R.No.48871

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SAI (CO)
CS/19/06/2019