

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.19567 of 2019

Sana

...Petitioner/A-3

Vs.

State by

1. The Inspector of Police,
R3-Ashok Nagar Police Station,
Ashok Nagar, Chennai.1st Respondent/Complainant

2. L.Balaji2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records and quash the First Information Report pending investigation in Crime No.157 of 2018 dated 07.03.2018 on the file of Inspector of Police, R-3, Ashok Nagar Police Station, Chennai, as an abuse of process of law.

For Petitioner : Mr.G.Dhayashankar

For Respondents : Mr.C.Raghavan
Government Advocate for R1

Mr.J.P.Rajesh for R2

ORDER

The Criminal Original Petition has been filed to quash the First Information Report pending investigation in Crime No.157 of 2018 dated 07.03.2018, on the file of Inspector of Police, R-3, Ashok Nagar Police Station, Chennai.

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. The Affidavit dated 24.06.2019 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present in person before this Court. In the affidavit it has been stated that the petitioner and the second respondent had entered into

a compromise and amicably settled their issues in Crime No.157 of 2018. 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 FIR 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.157 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.157 of 2018, on file of the Inspector of Police, R-3, Ashok Nagar Police Station, Chennai is quashed and the terms of Memo of Compromise shall form part and parcel of this order. Petitioner shall pay a sum of Rs.750/- (Rupees Seven Hundred and Fifty 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.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

*Xerox copy of the Memo of Compromise enclosed.

ssr

To

1. The Inspector of Police,
R3-Ashok Nagar Police Station,
Ashok Nagar, Chennai.

2. The Public Prosecutor,
High Court, Madras.

Copy to : The Section Officer,
Accounts Section,
High Court,
Madras-104.

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SV(CO)
CB(03/12/2019)