

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.18548 of 2019

Mohammed Suhel

...Petitioner/Accused No.1

Vs.

1. The State Rep. by
Inspector of Police,
W-30, All Women Police Station,
Poonamallee, Tiruvallur District.
....1st Respondent/Complainant
(Crime No.21/2018)

2. Mehar Taj ...Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to First Information Report bearing Crime No.21 of 2018, on the file of 1st respondent police and to quash the same as illegal insofar as it relates to the petitioner(s)/Accused No.1 in First Information Report bearing Crime No.21 of 2018, on the file of 1st Respondent Police.

For Petitioner : Mr.E.Mohammed Abbas
For 1st Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed seeking to call for the records relating to Crime No.21 of 2018 on the file of the 1st respondent and quash the same in terms of the compromise by allowing this Criminal Original petition.

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 19.07.2019, has been filed before this Court which have been signed by the petitioner

and the second respondent and also by their respective counsel. In order to identify the respective parties, they have also produced 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 case 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 Case in Crime No.21 of 2018 pending on the file of the first respondent insofar as the petitioner/Accused No.1 is concerned.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.21 of 2018 pending on the file of the first respondent is hereby quashed insofar as the petitioner/Accused No.1 is concerned and the terms of Memo of Compromise shall form part and parcel of this order.

*The Xerox Copy of Memo of Compromise enclosed

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP
To

1.The Inspector of Police,
W-30, All Women Police Station,
Poonamallee,
Tiruvallur District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.E.Mohamed Abbas, Advocate Sr.62707

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srg 09/09/2019