

IN THE HIGH Court OF JUDICATURE AT MADRAS

DATED: 16.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.21400 of 2019

Sai Kiran

.. Petitioner

Vs.

1.State represented by
The Inspector of Police,
H1- Old Washermenpet Police Station,
Chennai.

2.Rajbabu

.. Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the entire records in Crime No.1087 of 2018 and pending on the file of the 1st respondent pending disposal of the quash the same.

For Petitioner : Mr.G.Paul Einstein

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

ORDER

These Criminal Original Petition has been filed to call for the entire records in Crime No.1087 of 2018, pending on the file of the 1st respondent and quash the same.

2. This 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 of the 2nd respondent/defacto complainant dated 02.02.2019 has been filed before this Court which has been signed by the 2nd respondent and also by his 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 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.1087 of 2018 on the file of the 1st respondent police.

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.1087 of 2018 on the file of the 1st respondent police, is quashed and the affidavit of the 2nd respondent/defacto complainant shall form part and parcel of this order. The 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 and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

*Xerox copy of The Affidavit of the defacto complainant (Item No.3 in Typed set) Enclosed.

Sd/-

Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

pnn

To

1.The Inspector of Police,
H1- Old Washermenpet Police Station,
Chennai.

2.The Public Prosecutor,
Madras High Court.

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

4.The Section Officer
Criminal Section, High court, Madras.

+1cc to Mr.G.Paul Einstein, Advocate in SR.69692
SS(CO)
CB(30/09/2019)

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