

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.760 of 2016
and
CRL.MP.No.363 of 2016

1.R. Saraswathi
2.Swapna Pratap
3.B. Pratap Singh

...Petitioners

vs.

R. Raju

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records concerned in C.C.No.534 of 2015 on the file of Judicial Magistrate, Alandur, Chennai and quash the same.

For Petitioners: Mr.C.Prakasam
For Respondent : Mr.R.Amizhdhu

ORDER

This Criminal Original Petition has been filed by petitioners Nos.1 to 3 to call for the records concerned in C.C.No.534 of 2015 on the file of Judicial Magistrate, Alandur, Chennai and quash the same.

2. The respondent has filed a private complaint stating that the petitioners herein have committed offences punishable u/s.406, 420, 465, 467, 468, 471, 474 r/w. 34 and 120(b) of IPC and based on the same, the learned Judicial Magistrate, Alandur, Chennai, has taken the case on file as C.C.No.534 of 2015.

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

4. A Compromise memo, dated 20.01.2020, has been filed before this Court which has been signed by the petitioners and the respondent/defacto complainant and also by the counsel for the petitioners. The petitioners and the respondent are present in person before this Court. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card and they are made part of the record. This Court also enquired both the parties and satisfied that the parties have come to an amicable settlement between themselves.

5. 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 C.C.No.534 of 2015 on the file of the learned Judicial Magistrate, Alandur, Chennai, against the petitioners.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.534 of 2015 on the file of the learned Judicial Magistrate, Alandur, Chennai, is hereby quashed as against the petitioners herein (A1 to A3) and the terms of Compromise Memo shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

*Enclosed the xerox copy of Memo of compromise

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

gv
To
The Judicial Magistrate,
Alandur, Chennai

+lcc to Mr.C.Prakasam , Advocate SR.No. 6948

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A.SK(05/03/2020)