

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No. 15415 of 2020

S.Harsh Bothra
S/o.Subashchand Bothra

...Petitioner/Accused

Vs.

1.The Inspector of Police,
C2 Elephant Gate Police Station,
Chennai.
(Crime No.865 of 2020)

2.R.Rajkumar
S/o.Ratanchand Chopda

...Respondents/Complainant/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in Crime No.865 of 2020 pending on the file of Inspector of Police, C2 Elephant Gate Police Station, Chennai and quash the same.

For Petitioner : Mr.K.Surendar

For Respondents

For R1 : Mr.S.Karthikeyan

Additional Public Prosecutor

For R2 : Mr.Praveen

ORDER

This Criminal Original Petition has been filed to quash the F.I.R in Crime No.865 of 2020 on the file of the the file of Inspector of Police, C2 Elephant Gate Police Station, Chennai.

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 has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel.

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.865 of 2020.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.865 of 2020, on the file of the Inspector of Police, C2 Elephant Gate Police Station, Chennai is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.25,000/-, as costs, to the Chief Justice Relief fund, High Court of Madras, 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

//True Copy//

Sub Assistant Registrar

Enclosed: Xerox Copy of Joint Memo Compromise
rri

To

1.The Inspector of Police,
C2 Elephant Gate Police Station,
Chennai.

2.The Public Prosecutor,
High Court,
Madras.

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

+1 cc to M/s.K.Surendar, Advocate Sr.No. 32267

Cr1.O.P.No.15415 of 2020

SR. (CO)
RMP (28/10/2020)