

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.31867 of 2019

V.Dhinesh Kumar

...Petitioner/Accused

Vs.

1. State rep. by
The Inspector of Police,
M-1, Madhavaram Police Station,
Chennai - 600 110.

2. D.Sekar ...Respondents/Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for records and quash the FIR in Crime No.321 of 2018 on the file of the 1st respondent.

For Petitioner : Mr.K.Kannan

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor for R1

ORDER

This Criminal Original Petition has been filed to quash the F.I.R in Crime No.321 of 2018 dated 29.05.2018 on the file of the first respondent police.

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. The Defecto Complainant has filed a affidavit stating that he has no objection to quash the FIR as against the petitioner. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.321 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.321 of 2018, on the file of the first respondent police is quashed and the terms of affidavit of defacto complainant shall form part and parcel of this Order. The petitioner counsel paid a sum of Rs.10,000/- as costs to the Tamil Nadu State Legal Services Authority, High Court Campus, Chennai on 16.03.2020 and enclosed a receipt of the deposit.

*The Xerox Copy of Affidavit
of Defacto Complainant enclosed

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
M-1, Madhavaram Police Station,
Chennai - 600 110.

2.The Additional Public Prosecutor,
High Court, Madras.

WEB COPY

CrI.O.P.No.31867 of 2019

pvs[col]
srg 16/07/2020