

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.OP.No.30241 of 2019

and

Crl.M.P.No.16364 of 2019

P.Vijaya Kumar

...Petitioner

Vs.

1.The State by Inspector of Police (Crime),
R-3, Ashok Nagar Police Station,
Chennai.

2.Abdul Samad

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the Crime No.569 of 2019 on the file of the Inspector of Police, Ashok Nagar Police Station, Chennai and quash the same by allowing this Criminal Original Petition.

For Petitioner : Mr.S.Senthilnathan

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

O R D E R

This Criminal Original Petition has been filed to call for the records relating to the Crime No.569 of 2018 on the file of the Inspector of Police, Ashok Nagar Police Station, Chennai and quash the same by allowing this Criminal Original Petition.

2. Based on the complaint lodged by the second respondent, the first respondent has registered an FIR in Cr.No.569 of 2018 against the petitioner herein under Sections 420, 406, 294(b) and 506(1) IPC.

3. This 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.

4. A joint compromise memo dated 21.01.2020 has been filed by the petitioner/ 3rd accused and 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent also present in person before this Court and they are identified by the first respondent. In order to identify the respective parties they have also produced the copies of the Identity Card viz., Aadhar card and Driving License respectively

and the same are made part of the record. In the compromise memo, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.569 of 2018. 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 First Information Report pending. Even though, the offence involved is 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., inclined to quash the First Information Report in Crime No.569 of 2018.

6. In the result, this Criminal Original Petition is allowed and as a sequel, the proceedings in Crime No.569 of 2018, on the file of the 1st respondent police, is quashed and the terms of memo of compromise shall form part and parcel of this order. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

dna

Enclose: Xerox Copy of Joint Compromise Memo.

To

1.The Inspector of Police (Crime),
R-3, Ashok Nagar Police Station,
Chennai.

2.The Public Prosecutor, High Court, Madras.

+1cc to Mr.S.Senthilnathan, Advocate, SR.No.4054.

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RSV(CO)
SCR: 04.03.2020