

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.OP.No.31853 of 2019

Mohammed Saud

...Petitioner

Vs.

1.The Inspector of Police
Central Crime Branch,
Team-I,
Chennai.

2.Najimudeen

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for records in Crime No.280 of 2018 on the file of the first respondent police and quash the same.

For Petitioner : Mr.M. Soundar Vijay Arulram for
Mr.R.C.Paul Kanagaraj

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

ORDER

This Criminal Original Petition has been filed to call for records in Crime No.280 of 2018 on the file of the first respondent police and quash the same.

2. Based on the complaint lodged by the second respondent, the first respondent has registered FIR in Cr.No.280 of 2018 against the petitioner herein and after investigation filed charge sheet under Sections 420 and 506(i) IPC.

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 joint affidavit of compromise dated 19.11.2019 has been filed by the Petitioner/ and the 2nd respondent 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 Aadhaar Card and the same are made part of the record. In the compromise memo, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues. 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 against the petitioner. 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 Gujrath), this Court is inclined to exercise its jurisdiction under Section 482 Cr.P.C. and quashes the Case.

6. In the result, this Criminal Original Petition stands allowed.

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

drl
To

1.The Inspector of Police
Central Crime Branch,
Team-I, Chennai.

2.The Public Prosecutor,
High Court, Madras.

+1 Cc to Mr.R.C.Paul Kanagaraj, Advocate sr 4924.

PA(CO)
SP(03/03/2020)