



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2021

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Crl.O.P No.14103 of 2015
and MP No.1 of 2015

1. Habib Abdul Latif
2. Feroz Abdul Latif
3. Imthiaz Abdul Latif
4. Haji Sadhakathulla

Petitioners/Accused

vs.

1. The Inspector of Police,
Kelambakkam Police Station,
Kelambakkam.

..1st respondent/Complainant

2. Mr.Saibudeen

..2nd respondent /
Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pending investigation in Crime No.99 of 2015 on the file of the 1st respondent police.

For Petitioner : Mr.R.Gopinath

For Respondents: Mr.E.Rajthilak
learned counsel for Government
(Crl.Side) for R1

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.99 of 2015, pending on the file of the 1st respondent.

2. The case is still at 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 Memorandum of Understanding dated 06.06.2016 has been filed by the 2nd respondent/de-facto complainant before this Court. In the affidavit it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.99 of 2015. 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), and after exercising due caution as advised by the Hon'ble Supreme Court in The State of Madhya Pradesh v. Dhruv Gurjar and Another reported in (2019) 2 MLJ Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.99 of 2015, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.99 of 2015, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Kelambakkam Police Station,
Kelambakkam.

2. The Public Prosecutor,
High Court, Madras

Cr1.O.P No.14103 of 2015
and MP No.1 of 2015

PCH(CO)
RGA(09/08/2021)