

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.906 of 2021
and CrI MP No.570 of 2021

Dinesh

Petitioner

vs.

1. The State Rep. by
Rep. By Station House Officer,
Somangalam Police Station,
Kanchipuram District ...1st respondent/Complainant

2. N.Govintharaj ...2nd respondent /Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in FIR No.1289 of 2020 on the file Somangalam Police station, Kanchipuram District.

For Petitioners: Mr.R.Harinath

For Respondents: Mr.Mohammed Riyaz

Additional Public Prosecutor
for 1st respondent

Mr.Amalraj, learned counsel for R2

ORDER

The Criminal Original Petition has been filed to call for the records relating to the Crime No.1280 of 2020 on the file of the 1st respondent and quash the same by allowing this Criminal Original Petition.

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 Affidavit of the 2nd respondent has been filed before this Court which has been signed by the petitioner and the respondent and also by their respective counsel. The petitioner and the second respondent were also present through Video conferencing and they were identified by Mr.Krishnamurthy,

Sub Inspector of Police, Somangalam Police Station, Kanchipuram District who was also present at the time of hearing through Video conferencing. In the affidavit, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.1280 of 2020. 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 Gujraht), 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.1280 of 2020 pending on the file of the 1st respondent.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.1280 of 2020, pending on the file of the Inspector of Police, Somangalam Police Station, Kanchipuram District, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1500/- (Rupees One thousand five hundred only) as costs, to the credit of the President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157), 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.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Inspector of Police,
Somangalam Police Station,
Kanchipuram District

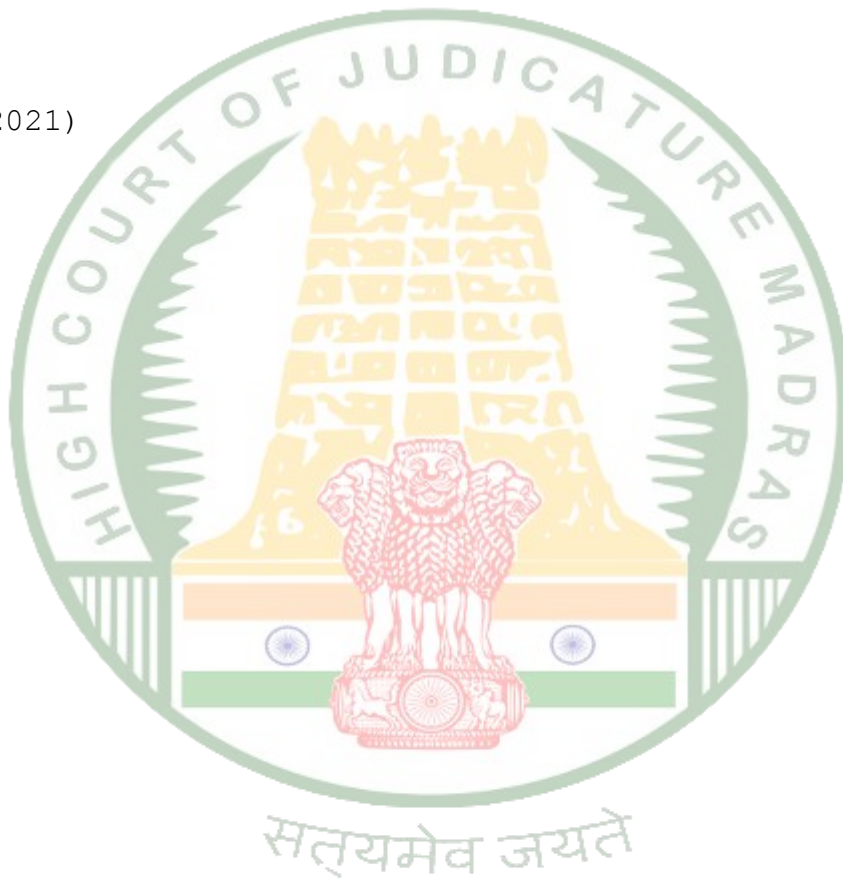
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2. The Public Prosecutor,
High Court, Madras.

Copy to
The President
Tamil Nadu Advocate Clerk's Association
Madras High Court, Chennai

CrI.O.P No.906 of 2021

RGN(CO)
SP(03/03/2021)



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