

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2021

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.501 of 2021

Rajesh Kumar

Petitioner

vs.

1. The State Rep. by
The Inspector of Police,
K7, ICF Police Station,
Crime No.640 of 2020

..1st respondent/Complainant

2. H.Kesavadhanraj

..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.640 of 2020 on the file The Inspector of Police, K7, ICF Police Station,

For Petitioners : Mr.M.P.Saravanan

For Respondents : Mr.Mohammed Riyaz
Additional Public Prosecutor
for 1st respondent

ORDER

The Criminal Original Petition has been filed to call for the records

relating to the Crime No.640 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 Memorandum of Joint Compromise 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.Mohan Dass, Inspector of Police, K7, ICF Police Station, who was also present at the time of hearing through Video conferencing. In the Memorandum of Joint Compromise, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.640 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 Gujrath)**, and after exercising due caution as advised by the Hon'ble Suprme Court in **The State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.640 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.640 of 2020, pending on the file of the Inspector of Police, K7, ICF Police Station, is quashed and the terms of Memorandum of Joint Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1500/- (Rupees One thosuand 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.

02.02.2021

Index : Yes/No

Internet : Yes/No

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N. ANAND VENKATESH, J.

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To

1. The State Rep. by
The Inspector of Police,
K7, ICF Police Station,
Crime No.640 of 2020.
2. The Public Prosecutor,
High Court, Madras.



Crl.O.P No.501 of 2021

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