

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.4104 of 2021
and Crl.MP.No.2607 of 2021

Askar Ali

...Petitioner

Vs.

1. The Inspector of Police,
C-3, Seven Wells Police Station,
Law and order,
Chennai.

2. R.Kannan

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.1474 of 2020 on the file of the first respondent/complainant and to quash the same.

For Petitioner : Mr.C.Ravichandran
For Respondent No.1: Mr.C.Raghavan,
Government Advocate

O R D E R

The Criminal Original Petition has been filed to quash the FIR in Crime No.1474 of 2020, 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 Affidavit dated January 2021 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present before this court at the time of hearing through video conferencing and they were identified by Mr.Sakthivel, Inspector of Police, C-3, Seven Wells Police Station (L & O), Chennai. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and it is made part of the record. 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.1474 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.1474 of 2020, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1474 of 2020, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rli

Encl: Xerox Copy of the Affidavit.

To

1. The Inspector of Police,
C-3, Seven Wells Police Station,
Law and order,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+3cc to Mr.C.Ravichandran, Advocate Sr.No.14114

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AJS (CO)
NR 19/04/2021