

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.2231 of 2021

R.Bavajohn Rafi

..Petitioner/Accused

Vs.

1. State Represented by

The Inspector of Police,
All Women Police Station-Thiruthani
Thiruvallur.

..1st Respondent/Complainant

2. K.Nageena

..2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.10 of 2020 on the file of the Inspector of Police, All Women Police Station, Thiruthani and quash the same.

For Petitioner : Mr.R.Vivekananthan

For Respondent No.1: Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.10 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 18.06.2021 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present through Video conferencing and they were identified by Mr. Sathiyavani, Inspector of Police, All Women Police Station-Thiruthani, Thiruvallur. 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 petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.10 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 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.10 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.10 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.

(* Xerox copies enclosed along with affidavit)

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Inspector of Police,
All Women Police Station-Thiruthani
Thiruvallur.
2. The Public Prosecutor,
High Court of Madras
Madras 104.

+1 CC to Mr.R.Vivekananthan, Advocate sr 10259.

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Cr1.O.P.No.2231 of 2021

AJB(CO)
SP(19/03/2021)