

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.2376 of 2021

K.Abdul Khadar,
S/o.A.Kader Mohideen.

...Petitioner

Vs.

1. State by Inspector of Police
R-2, Kodambakkam Police Station
Kodambakkam
Chennai - 600 024
(Crime No.702/2019)

2. Ajeethraj Chordia

...Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records relating to the Crime No.702 of 2019 on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.S.Vidhyasagar

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor for R1.

Mr.I.Abrar Mohamed Abdullah for R2.

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.702 of 2019, 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 petitioner and 2nd respondent/de-facto complainant have filed an affidavit dated 28.01.2021 and a joint memo of compromise was also filed before this Court. The petitioners and the second respondent were also present before this Court and they were identified by Mr.Manoharan, Sub Inspector of Police, R2 Kodambakkam Police Station, Kodambakkam. 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.702 of 2019. 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 Supreme Court in The State of Madhya Pradesh v. Dhruv Gurjar and Another reported in (2019) 2 MLJ CrI 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.702 of 2019, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.702 of 2019, on the file of the 1st respondent police, is quashed and the terms of affidavit and joint memo of compromise 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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rm

To

1.The Inspector of Police
R-2, Kodambakkam Police Station
Kodambakkam
Chennai - 600 024.
(Crime No.702/2019)

2.The Public Prosecutor,
High Court, Madras.

3.The President,
Tamil Nadu Advocates Clerk Association
Madras High Court, Chennai.

CrI.O.P.No.2376 of 2021