

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.OP.No.2556 of 2021
and
Crl.MP.No.1381 of 2021

Dharmesh Kumar

...Petitioner

.Vs.

1.State rep.by
The Inspector of Police,
R-5 Virugambakkam Police Station,
Virugambakkam,
Chennai.

...1st Respondent/
Complainant

(Crime No.79 of 2020)

2.R.Arunachalam

.. 2nd Respondent/
De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the FIR registered in Crime No.79/2020, on the file of the 1st respondent and quash the same.

For Petitioner : Mr.A.Prakash

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R 1

Mr.S.Venkatesh
for R 2

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.79 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. A Joint Memo of Compromise, dated 16.02.2021, has been filed before this Court which have been signed by the

petitioner and the 2nd respondent and also by their respective counsel. The petitioner and the 2nd respondent were also present in person before this Court and they were identified by Ms.lavanya, Gr-1, Police Constable, Vrugambakkam, 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. 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 case 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), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quash the First Information Report in Crime No.79 of 2020, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, investigation in Crime No.79 of 2020, on the file of the 1st respondent police, is hereby quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,000/- (Rupees one thousand 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. Consequently, connected miscellaneous petition is closed.

*Xerox copy of the Joint Memo of Compromise enclosed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP

To

1.The Inspector of Police,
R-5 Virugambakkam Police Station,
Virugambakkam,
Chennai.

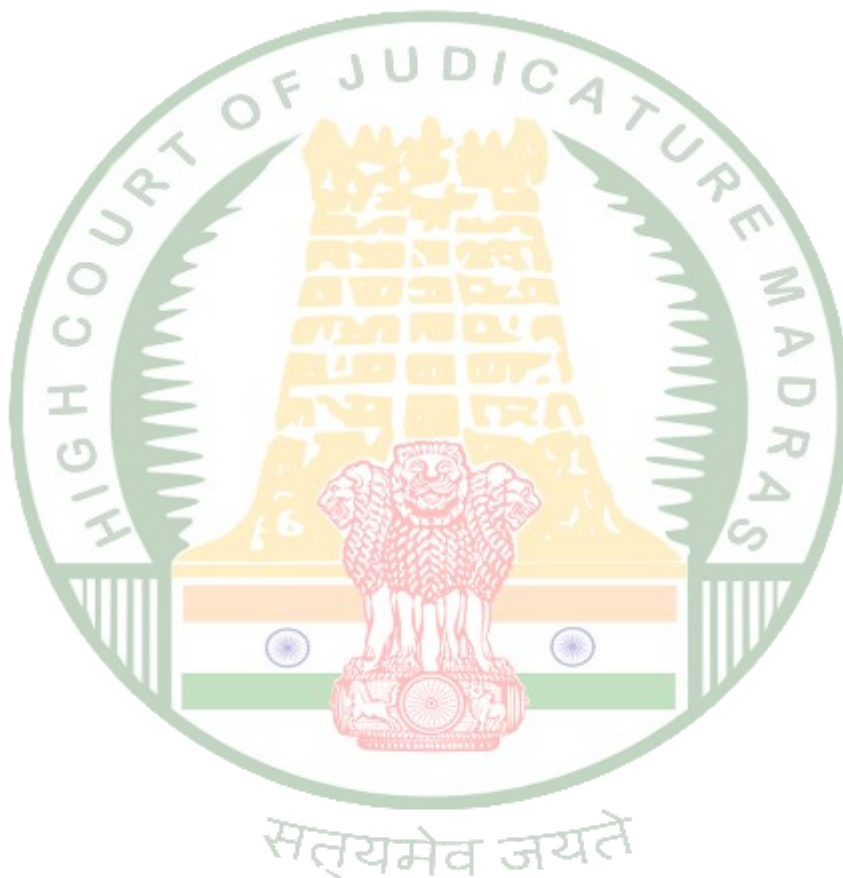
2.The Public Prosecutor,
<https://hcservices.ecourts.gov.in/hcservices/>
High Court, Madras.

Copy to:
The President,
Tamil Nadu Advocates Clerk Association,
Madras High Court, Chennai.

+2cc to M/s.A.Prakash, Advocate SR.12734

Cr1.OP.No.2556 of 2021

GPL (CO)
CB (22/03/2021)



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