

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 12.03.2021
CORAM
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH
CRL.O.P.No.4091 of 2021

1.Akbar Basha
2.Saleem

...Petitioners

.Vs.

1.The State rep.by Inspector of Police,
D-3 Ice House Police Station,
Chennai 600 005.

(Crime No.1352 of 2020)

2.Abdul Rahman

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in FIR in Cr.No.1352 of 2020, on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.M.R.Kuyilan

For Respondent : Mr.C.Raghavan
Government Advocate
for R 1

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.1325 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. Joint Memo of Compromise, dated 23.02.2021, has been filed before this Court which has been signed by the petitioners and the 2nd respondent and also their respective counsel. The petitioners and the 2nd respondent were also present in person before this Court and they were identified by Mr.Sivakumar, Sub Inspector, Chennai - 600 005. 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 in (Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat) reported in 2017 9 SCC 641 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.1352 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.1352 of 2020, on the file of the 1st respondent, is hereby quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1000/- (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.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

KP

ENCL :XEROX COPY OF JOINT COMPROMISE MEMO

To

1.The Inspector of Police,
D-3 Ice House Police Station,
Chennai 600 005.
(Crime No.1352 of 2020)

2.The Public Prosecutor,
High Court, Madras.

Copy to:

1)The President,
Tamil Nadu Advocates clerk Association,
Madras High Court, Chennai

2)The Section Officer,
Criminal Section, High Court, Madras

CRL.O.P.No.4091 of 2021

PM(CO)
KKN 22.04.2021