

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.4429 of 2021 &
CrI.M.P.No.2830 of 2021

- 1.Hitesh Agarwal, S/o.Sanjay Kumar Agarwal
 - 2.Sanjay Kumar Agarwal,
S/o.Late Shri Sadhu Ram Agarwal
 - 3.Asha Agarwal, W/o.Sanjay Kumar Agarwal
 - 4.Ishan Agarwal, S/o.Sanjay Kumar Agarwal
 - 5.Tarang Chaurasia, W/o.Rajiv Chaurasia
- ... Petitioners/Accused 1 to 5

vs.

1. State Rep. by
The Inspector of Police,
W-22, All Women's Police Station,
Mylapore, Chennai-600 004.
...1st Respondent/Complainant
- 2.Chandni Babbar
D/o.Kamal Kumar Babbar ...2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to FIR No.10 of 2019 pending on the file of the W-22 All Women Police Station, Mylapore Chennai-600 004 and quash the same as against the petitioners.

For Petitioners: Ms.Geetha Ramaseshan

For Respondents: Mr.C.Raghavan
Government Advocate for R1
Mr.J.Saravanavel for R2

ORDER

The Criminal Original Petition has been filed to call for the records relating to FIR No.10 of 2019 pending on the file of the W-22 All Women Police Station, Mylapore Chennai-600 004 and quash the same as against the petitioners.

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 memorandum of compromise dated 13.12.2020 has been filed by the 1st petitioner and the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present and they were identified by Tmt.Jayabharathi, Inspector of Police, W-22, All Women's Police Station, Mylapore, Chennai, who was also present at the time of hearing. In the affidavit it has been stated that the 1st petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.10 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 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 2019 pending on the file of the Inspector of Police, W-22, All Women's Police Station, Mylapore, Chennai-600 004.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.10 of 2029, pending on the file of the Inspector of Police, W-22, All Women's Police Station, Mylapore, Chennai-600 004, is quashed and the terms of affidavit shall form part and parcel of this order.

*Xerox copy of the Memo enclosed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
W-22, All Women's Police Station,
Mylapore, Chennai-600 004.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.J.Saravanel, Advocate SR.14502

+2cc to M/s.Geetha Ramaseshan, Advocate SR.14513

Cr1.O.P No.4429 of 2021

GPL (CO)
CB (31/03/2021)



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