



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.5950 of 2021

and

Crl MP No.3842 of 2021

1. M.Abinav Shankar
2. Manikandan
3. Anusya

Petitioners 1-3/Accused 1-3

vs.

1. State,
Rep. by its Inspector of Police,
W-20 All Women Police Station,
Saidapet, Chennai 600 015.

1st Respondent/Complainant

2. R.Gayathri

2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records in FIR No.3 of 2020 altered FIR No.268 of 2020 dated 18.02.2020 on the file of the 1st respondent / Police, Inspector of Police, W-20, All Women Police Station, Saidapet, Chennai - 15 and to quash the same.

For Petitioner : Mr.M.Kempraj

For Respondents: Mr.M. Mohammed Riyaz
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.3/2020 altered FIR No.268 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 23.03.2021 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present through Video conferencing and they were identified by Inspector of Police, W-20 All Women Police Station, Saidapet, Chennai 600 015. 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 FIR in Crime No.3/2020 altered FIR No.268 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 FIR in Crime No.3/2020 altered FIR No.268 of 2020 , on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in FIR in Crime No.3/2020 altered FIR No.268 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. Consequently, the connected Miscellaneous Petition is also closed.

* Xerox copy of the Memo of Compromise is enclosed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

rka



To

1. The Inspector of Police,
W-20 All Women Police Station,
Saidapet, Chennai 600 015.

2. The Public Prosecutor,
Puducherry.

+2ccs to Mr.M.Kempraj , Advocate, S.R.No.20561

Cr1.O.P No.5950 of 2021
and
Cr1 MP No.3842 of 2021

PVS (CO)
SU (09/09/2021)