

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.6177 of 2021

Amjeth Basha,

...Petitioner

Vs.

1. The Inspector of Police,
Washermenpet Police Station,
Chennai.
Crime No.5222 of 2020.

2. Mohamed Zakir.Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records pertaining to the FIR in Crime No.5222 of 2020 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.R.Prabakar
For 1st respondent : Mr.C.Raghavan,
Government Advocate

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.5222 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 petitioner and 2nd respondent/de-facto complainant have filed a joint memo of compromise before this Court. The petitioner and the second respondent were also present before this Court and they were identified by the police officials. In order to identify the respective parties they have also filed the copies of the Aadhaar Card and it is made part of the record. In the joint memo of compromise, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.5222 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 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.5222 of 2020, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.5222 of 2020, on the file of the 1st respondent police, is 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.750/- (Rupees Seven Hundred and Fifty 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 (CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Washermenpet Police Station,
Chennai.
(Crime No.5222 of 2020)

2.The Public Prosecutor,
High Court, Madras.

Copy To

The President,
Tamilnadu Advocates Clerk's Association,
High Court, Chennai 104.

+1cc to Mr.R.Prabakar, Advocate, S.R.No. 20428

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JPL (CO)
GN(04/05/2021)