

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Cr1.O.P No.7379 of 2021

1.Ravikumar

2.Balasubramaniam

3.Gajendran

... Petitioners

vs.

1.State rep. by

The Inspector of Police,
Central Crime Branch Police Station,
Team-I,
Chennai.
(Crime No.170 of 2019)

2.Yogesh

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to FIR in Crime No.170 of 2019 on the file of the first respondent for an offence under Section 420 IPC and quash the same.

For Petitioners: Mr.R.Sasikumar

For R1 : Mr.M.Mohammed Riyaz,
Additional Public Prosecutor

For R2 : Mr.V.Vijayarajan

W E B C O P Y
O R D E R

The Criminal Original Petition has been filed to call for the records relating to FIR in Crime No.170 of 2019 on the file of the first respondent for an offence under Section 420 IPC and quash the same.

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 Joint Memo of Compromise dated 08.04.2021 has been filed by the petitioners and the second respondent/defacto complainant before this Court. The petitioners and the second

respondent/defacto complainant were also present through Video conferencing. In the above said Joint Memo of Compromise it has been stated that the petitioners and the second respondent/defacto complainant have entered into a compromise and amicably settled their issues in Crime No.170 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 Gujarat), 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.170 of 2019, on the file of the 1st respondent Police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.170 of 2019, 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 petitioners shall pay a sum of Rs.1000/- (Rupees One Thousand only each) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry)], 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

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To

1.The Inspector of Police,
Central Crime Branch Police Station,
Team-I,
Chennai.

2.The Public Prosecutor,
High Court,
Madras.

Copy To

The Sub Assistant Registrar,
Accounts Section,
High Court, Madras.

Copy To

The Section Officer,
Criminal Section,
High Court, Madras.

Cr1.O.P No.7379 of 2021

LN(CO)
GMY(05/07/2021)



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