



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.15547 OF 2021

&

CRL.M.P.NO.8486 OF 2021

T.S.Raja

... Petitioner

Versus

1. Inspector of Police,
Vepery Police Station,
Chennai 600 007.

2. Gopi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the FIR in Crime No.148 of 2019 dated 02.05.2019 on the file of the first respondent police.

For Petitioner : Mr.G.Mohana Krishnan

For Respondent : Mr.A.Damodharan,
Addl. Public Prosecutor.
for R1

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.148 of 2019, dated 02.05.2019 on the file of the 1st respondent Police.



2. The case of the prosecution is that on 01.05.2019, the petitioner/A1 along with other accused persons entered into the defacto complainant's uncle's house, abused him in filthy language, attacked his uncle and other family members with knife, thereby, caused serious injuries to them. The petitioner/A1 had also demanded his wife share in the property and also threatened them with dire consequences. Hence, the defacto complainant lodged a complaint before the 1st respondent police on 02.05.2019. On receipt of the same, a case in Crime No.148 of 2019 was registered on the same day for the offences under Sections 147, 448, 342, 294(b), 323, 324, 307, 427 and 506(ii) of IPC.

3. The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromised the dispute amicably among themselves.

4. A Joint Compromise Memo, dated 13.09.2021 has been filed by the petitioner/A1 and the 2nd respondent/defacto complainant. The petitioner and the 2nd respondent are present through Video conferencing. In the Joint Compromise Memo, it is stated that the petitioner and the defacto complainant are relatives. Due to heat of moment, a minor family dispute between the petitioner/A1 and the defacto complainant was exaggerated and a criminal complaint has been lodged. Now, they decided to settle the issue between them amicably, now compromised and the defacto complainant is not inclined to proceed with the investigation further. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. 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 Crime No.148 of 2019, on the file of the 1st respondent Police.



6.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.148 of 2019, on the file of the 1st respondent police, is quashed as against the petitioner/A1. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

mrp

To

The Inspector of Police,
Vepery Police Station,
Chennai 600 007.

+1cc to Mr.G.Mohana Krishnan, Advocate, S.R.No.49261

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&
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PMK(CO)
RLP(05/10/2021)