



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.18981 of 2021

R.Govindaraj

...Petitioner/Accused

Versus

1. The Inspector of Police
Vadapalani Police Station
T.Nagar District .
Chennai.

2. G.Manimegalai

...Respondents/Complainant/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the Crime No.704 of 2021 on the file of the first respondent and quash the same.

For Petitioner : Mr.S.Ramajayam

For Respondent : Mr.A.Damodaran for R1
Additional Public Prosecutor

O R D E R

This petition has been filed to call for the records pertaining to the Crime No.704 of 2021 on the file of the first respondent and quash the same.

2. The case is still at the stage of investigation. By passage of time, the parties have decided to compromise the dispute amicably among themselves.

3. The contention of the petitioner is that he is a builder and he purchased a property in Survey No.131/2 in Noombal Village, Ambattur Taluk, Thiruvallur District from the husband of the second respondent/de-facto complainant for a sale consideration of Rs.40,00,000/-. Thereafter, he constructed



building and sold the same to third party. When the petitioner asked life certificate, both the defacto complainant and her husband demanded Rs.1,00,000/- from him. Hence, a wordy quarrel arose between them. Thereafter, an FIR was registered against the petitioner in Crime No.704/2021, dated 25.08.2021.

4. The learned counsel for the petitioner submitted that the second respondent/de-facto complainant and her husband has jointly compromised with the petitioner and settled the issues between them. They also jointly executed a compromise deed dated 01.10.2021 to that effect. Hence, the FIR registered against him may be quashed.

5. A Compromise Deed dated 01.10.2021 has been filed by the second respondent/defacto complainant before this Court. The second respondent/defacto complainant and the petitioner present through Video Conferencing. In the Compromise Deed, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.704 of 2021. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending. Even though, the offence involved is 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), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., inclined to quash the First Information Report in Crime No.704 of 2021.

7. In the result, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.704 of 2021 on the file of the 1st respondent police, is quashed and the terms of Compromise Deed shall form part and parcel of this order.

(*) Herein enclosed the xerox copy of the compromise

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

dna



To

1. The Inspector of Police
Vadapalani Police Station
T.Nagar District .
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.S.Ramajayam, Advocate Sr.No.54740

CRL.O.P.No.18981 of 2021

GPL[co]
NSK 01/12/2021