



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.1697 of 2022

1.Mohan Raj
2.Sasikala

... Petitioners/Accused 1 & 2

Versus

1.State by
Inspector of Police,
D-2, Police Station,
Annasalai, Chennai.

...1st Respondent/Complainant

2.K.Sankar

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure to call for the records in Crime No.1115 of 2020 on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.P.Praveen Kumar

For Respondent : Mr.E.Raj Thilak
No.1 Additional Public Prosecutor

For Respondent : Mr.K.Anand
No.2

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.1115 of 2020 dated 20.11.2020 on the file of the 1st respondent Police.

2.The case of the prosecution is that on 19.11.2020 at about 5.15 p.m. when the second respondent/defacto complainant visited his sister's house at No.15, Duraisamy Colony Street, Perumal Mudali Street, Chennai - 600 014, his sister and the tenant in that house quarrelled between them. When the second respondent questioned them, the first petitioner Mohan Raj/A1 hurt and the second petitioner Sasikala/A2 used filthy language. Hence, the defacto complainant gave complaint to the first respondent police and the first respondent police registered a case in Crime No.1115 of 2020 for offences under Sections 294 (b), 325, 341 and 506(i) IPC against the petitioners.



3.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.

4.An Affidavit dated 10.01.2022 has been filed by the 2nd respondent/defacto complainant. The petitioners and the 2nd respondent were also present through Video conferencing. In the affidavit, it has been stated that the 2nd respondent wanted to drop the further criminal action against the petitioners in Crime No.1115 of 2020. 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 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.1115 of 2020, on the file of the 1st respondent Police.

6.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.1115 of 2020, on the file of the 1st respondent police, is quashed.

Sd/-
Assistant Registrar (CS-VII)

//True copy//

Sub Assistant Registrar

sms
To

1.The Inspector of Police,
D-2, Police Station,
Annasalai, Chennai.

2.The Public Prosecutor,
High Court, Madras.

+3ccs to Mr.S.Ambedkar, Advocate SR.No.7055

CRL.O.P.No.1697 of 2022

MG (CO)
GMY (23/02/2022)