

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2022

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.No.13732 of 2022

1.Kurshith Begum
2.Kasim @ Mohammed Kasim
3.Hasaan
4.Salman Basha
5.Sardar Basha
6.Yaseen Basha
7.Sadiq Basha
8.Hazeera Banu
9.Chand @ Chand Basha
10.Asalam Basha @ Ferroz ... Petitioners/Accused

Versus

1.State rep by:
The Inspector of Police (Law & Order),
N-1 Police Station,
Royapuram,
Chennai - 600 013. ... Respondent/Complainant

2.Hasaan Moulana ... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in S.C.No.503 of 2018 pending on the file of XIX Additional Sessions Court, Singaravelan Maligai, Chennai - 600 001 and quash the same.

For Petitioners : Mr.Shaikh Mehrunisa Kasim

For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceedings in S.C.No.503 of 2018 pending on the file of the XIX Additional Sessions Court, Singaravelan Maligai, Chennai, for the offence under Sections 147, 148, 294(b), 323, 324, 447, 307 and 506(ii) of IPC.

2.As the parties have decided to compromise the dispute amicably among themselves, they have filed the present petition to quash the proceedings in view of the compromise entered between the parties.

3.A Joint Memo of Compromise has been filed before this Court which has been signed by the petitioners and the 2nd respondent. The petitioners and the 2nd respondent have appeared before this Court. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card and it is made part of the record. In the petition, it has been stated that the petitioners and the 2nd respondent have entered into a compromise and amicably settled their issues in S.C.No.503 of 2018. 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 proceedings 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., is inclined to quash the case in S.C.No.503 of 2018 on the file of the XIX Additional Sessions Court, Singaravelan Maligai, Chennai.

5.According, this Criminal Original Petition stands allowed and the proceedings in S.C.No.503 of 2018 on the file of the XIX Additional Sessions Court, Singaravelan Maligai, Chennai is quashed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

vv2

To

1.The XIX Additional Sessions Judge,
Singaravelan Maligai,
Chennai - 600 001.

2.The Inspector of Police (Law & Order),
N-1 Police Station,
Royapuram,
Chennai - 600 013.

3.The Public Prosecutor,
High Court, Madras.

+2ccs to Mr.Shaikh Mehrunisa, Advocate SR.No.38605

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SP II (CO)
GMY(01/07/2022)