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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2022

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.No.11245 of 2022
and CRL.M.P.No.6472 of 2022

1.Dipankar Khasnavis

2.Yasmin Khan Rasool Beg

... Petitioners

Vs.

1.The Inspector of Police
Bank Fraud Wing Investigation
Central Crime Branch
Vepery
Chennai 600 007
Crime No.252 of 2019

2.Mr.Manish Gupta

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to C.C.No.17 of 2022, on the file of the Metropolitan Magistrate Court, CCB & CB-CID Special Court, Egmore, Chennai filed by the 1st respondent and quash the same as against the petitioners.

For Petitioners : Mr.M.K.Bhoopathy Rajan

For Respondents : Mr.Leonard Arul Joseph Selvam
Govt. Advocate (Crl.Side) for R1

Mr.R.S.Raveendran for R2

ORDER

This petition has been filed to quash C.C.No.17 of 2022, on the file of the Metropolitan Magistrate Court, CCB & CB-CID Special Court, Egmore, Chennai filed by the 1st respondent.

2.Final report has been filed by the respondent police for the alleged cheating amount of Rs.16,50,000/- by the accused. The entire final report and F.I.R indicates that the matter pertains to a commercial dispute between the parties. Now, the



defacto complainant and the accused are present before this Court and the defacto complainant has also filed an affidavit to the effect that the entire amount has been settled and he is no longer willing to prosecute the matter.

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3.As the offence under Section 420 I.P.C. is compoundable with the permission of Court and the entire dispute is revolving around the commercial dispute, this Court is of the view that compounding can be permitted. Accordingly, the affidavit filed by the defacto complainant for compounding the offence is accepted. The identity of the defacto complainant and the accused are also established by the respective counsel on record.

4.In view of the above, C.C.No.17 of 2022 pending on the file of the Metropolitan Magistrate Court, CCB & CB-CID Special Court, Egmore, Chennai filed by the 1st respondent is hereby quashed.

5.The Criminal Original Petition stands allowed. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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1.The Metropolitan Magistrate,
CCB & CBCID Special Court, Egmore,Chennai.

2.The Inspector of Police
Bank Fraud Wing Investigation
Central Crime Branch
Vepery, Chennai 600 007, Crime No.252 of 2019

3.The Public Prosecutor
High Court of Madras, Chennai.

+1cc to Mr.R.S.Raveendran, Advocate, S.R.No.4376

+1cc to Mr.M.K.Bhoopathy Rajan, Advocate, S.R.No.34335

CRL.O.P.No.11245 of 2022
and CRL.M.P.No.6472 of 2022

PMK (CO)
SB(22/06/2022)