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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 13.06.2022

Coram:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Cr1.O.P.No.13129 of 2022

Saleem Ahmed

...Petitioner

Vs

1.The Inspector of Police,
District Crime Branch,
Erode, Erode District.
Crime No.25 of 2019.

2.Mohamed Riyazudeen

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for records relating to the FIR in crime No.25 of 2019 pending on the file of Inspector of Police, District Crime Branch, Erode, Erode District and quash the same.

For Petitioner : Mr.D.Bennington

For Respondents: Mr.A.Gokulakrishnan for R1
Additional Public Prosecutor
Mr.K.Sadhanandan for R2

O R D E R

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.25 of 2019 pending on the file of the 1st respondent police.

2. Both the petitioner and the defacto complainant were present before this Court and submitted that they have resolved the dispute amicably between themselves. The defacto complainant submitted that he is not interested to proceed further as the amount has already been received and that the parties have filed a Joint Compromise Memo to that effect.

3. Heard the learned Additional Public Prosecutor appearing for the respondent police.



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4. Now the case is under investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

5.A Joint Memo of Compromise has also been filed before this Court. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. Further, the entire allegation involved in this case is some money transaction and continuing the prosecution will serve no purpose or make in impact on the Society.

6.Under such circumstances, no useful purpose will be served in keeping the proceedings in Crime No.25 of 2019 pending, even though, the offence involve 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings against the petitioner in Crime No.25 of 2019 on the file of the 1st respondent police.

7. Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

nr/ksa-2

To

1.The Inspector of Police,
District Crime Branch,
Erode, Erode District.

2.The Public Prosecutor
High Court, Madras.

+4ccs to Mr.D.Bennington, Advocate SR.No.35024, 34766

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GP(CO)

GMV(07/07/2022)