



Crl.O.P No.12375 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.12375 of 2021

Naresh

... Petitioner

Vs.

1. State Rep. by
The Inspector of Police,
W-8, All Women Police Station
Chennai.

2. Sarala

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records in Crime No.1 of 2021 pending investigation on the file of the 1st respondent and quash the same.

For Petitioner : Mr.S.Shanmugavelayutham

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



WEB COPY



Crl.O.P No.12375 of 2021

ORDER

This Criminal Original Petition has been filed, seeking to call for the records pertaining to Crime No.1 of 2021 on the file of the 1st respondent and quash the same as illegal.

2. When the matter was taken up today, a Joint Compromise Memo was filed by both the petitioner and the 2nd respondent, wherein it is stated that the parties have amicably settled the dispute between themselves and buried their hatred, if any, against each other.

3. The complaint has been given by the 2nd respondent/de-facto complainant by alleging that she was in love with the petitioner and they have been moving as friends for some time and thereafter, the petitioner refused to marry the 2nd respondent. On this ground, a case has been registered for the offence of cheating under Section 417 IPC. However, the 2nd respondent and the petitioner have decided to part their ways considering their respective future.



WEB COPY

4. The petitioner and the 2nd respondent were present today before this Court and identified by their respective counsel and Ms.M.Vaishnavi, WPC-48895, W8 All Women Police, Thirumangalam, Chennai. In order to identify the respective parties, they have also produced the copies of the Aadhaar Cards. When enquired, the 2nd respondent and the petitioner have stated that they have agreed to the compromise on their own volition without any threat or fear. They also assured that they will not interfere in each other's life hereafter and they will mind their own life and make their personal choices in according to their own respective wishes.

5. The offence under Section 417 is compoundable one and it is personal in nature. Considering the age and future of the petitioner and the 2nd respondent, it is appropriate to allow the parties to compound the offence as per the joint compromise memo. In view of the same, Joint Compromise Memo is recorded.

5. Under such circumstances, no useful purpose will be served in keeping the proceedings pending. Therefore, 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 power under Section 482 Cr.P.C. prefers to quash the proceedings in Crime No.1 of 2021, on the file of the 1st respondent.

6. In the result, this Criminal Original Petition stands allowed and as a sequel, the further proceedings in Crime No.1 of 2021 on the file of the 1st respondent, is quashed due to compromise. The terms of Joint Compromise Memo shall form part of this Order.

19.10.2022

Index : Yes/No
Speaking Order : Yes / No
uma

To

1. The Inspector of Police,
W-8, All Women Police Station
Chennai.
2. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P No.12375 of 2021

R.N.MANJULA, J.,

uma

Crl.O.P No.12375 of 2021

19.10.2022