



Crl.OP.No.23974 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.10.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

Crl.O.P.No.23974 of 2022

and

Crl.M.P.No.15216 of 2022

Nagendran

... Petitioner

Vs.

1. State rep by Inspector of Police,
SRMC Police Station,
Ambattur, Chennai.

2. Santhi

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C.,
pleased to call for the records in Crime No.735 of 2020 on the file of the first
respondent Police and quash the same.

For Petitioner

: M/s.A.S.Neela Narayani
for Mr.D.Prasanth

For Respondent 1

: Mr.S.Santhosh
Government Advocate(Crl.side)

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime
No.735 of 2020 for the offences under Sections 294(b), 427and 506(2) of IPC



Crl.OP.No.23974 of 2022

pending on the file of the 1st respondent police.

WEB COPY

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

3. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the second respondent/defacto complainant and also by their respective counsels. The petitioner and the second respondent were also present in person before this Court and they were identified by the Investigation Officer. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. In the instant case, the dispute is of personal in nature and the parties had compromised. Where the parties have compromised the matter, the High Court has to power to quash the complaint for the offences under 294(b), 427 and 506(2) of IPC.



Crl.OP.No.23974 of 2022

5. The legal position expressed by the Hon'ble Apex Court in the case of **Gian Singh vs. State of Panjab and another** reported in (2012)10 SCC 303 and **Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath** reported in (2017)9 SCC 641 were taken into consideration.

6. In the light of the guidelines issued in the above said Judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the proceedings in Crime No.735 of 2020 pending on the file of the 1st respondent police, even though, the offences involved are not compoundable in nature.

7. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.735 of 2020 on the file of the 1st respondent police, is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

10.10.2022

Internet : Yes / No
Index : Yes / No
Speaking / Non Speaking order
nr

3/4



WEB COPY



Crl.OP.No.23974 of 2022

V.SIVAGNANAM,J.

nr

To

1. The Inspector of Police,
SRMC Police Station,
Ambattur, Chennai.
- 2.The Public Prosecutor
High Court, Madras

Crl.O.P.No.23974 of 2022
and
Crl.M.P.No.15216 of 2022

10.10.2022

4/4