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CRL.O.P.No.25726 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2022

CORAM:

THE HON'BLE **MR.JUSTICE V. SIVAGNANAM**

CRL.O.P.No.25726 of 2022

and

CrI.M.P.Nos.15922 & 15924 of 2022

1. N.Dhanraj Kochar
2. Inderchand D.Kochar
3. Naveen Kochar
4. Jitesh Kumar Kochar

... Petitioners

Vs.

1. The State Represented by
The Inspector of Police,
Central Crime Branch – I,
Team – 32, Chit and Kanthuvatti Wing,
Vepery, Chennai – 7.

2. J.Jayakrishnan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the Crime No.202 of 2022, on the file of the 1st Respondent Police and quash the same.

For Petitioner : Mr.E.K.Kumaresan



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For Respondents : Mr.S.Santhosh
Govt. Advocate (Crl.side) for R1.
Mr.M.Deivanandham for R2.

ORDER

This Criminal Original Petition has been filed to call for the records and quash the proceedings in Crime No.202 of 2022, pending on the file of the 1st respondent for the offences under Sections 420, 120 (B) IPC, 1860 and Section 3 and 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003.

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. The petitioners and the second respondent are present before this Court and they were identified by the Inspector of Police, Central Crime Branch - I, Team - 32, Chit and Kanthuvatti Wing Vepery, Chennai 600 007, who is also present at the time of hearing. In order to identify the



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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 second respondent have entered into a compromise and amicably settled their issues in Crime No.202 of 2022. 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 First Information Report 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 Gujrath)**, 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 CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. is inclined to quash the proceedings in Crime No.202 of 2022 on the file of the Inspector of Police, Central Crime Branch - I, Team - 32, Chit and Kanthuvatti Wing, Vepery, Chennai - 600 007.



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5. Accordingly, this Criminal Original Petition stands allowed and the proceedings in Crime No.202 of 2022 on the file of the Inspector of Police, Central Crime Branch-I, Team - 32, Chit and Kanthuvatti Wing, Vepery, Chennai 600 007 is quashed. Consequently connected miscellaneous petitions are also closed.

26.10.2022

Index : Yes/No
Speaking/Non speaking order
dpq

To.

1. The Inspector of Police,
Central Crime Branch – I,
Team – 32, Chit and Kanthuvatti Wing,
Vepery, Chennai – 7.
2. The Public Prosecutor
High Court of Madras.



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V. SIVAGNANAM, J.

dpq

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