



Crl.O.P.(MD) No.15273 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.15273 of 2022

1. Bala @ Balaji

2. Ranjith

... Petitioners/A-1 & A-2

Vs

1. The Inspector of Police,
Vathalai Police Station,
Trichy District.
(Crime No.108 of 2022)

...R1/Complainant

2. Selvaraj

...R-2/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating and quash the proceedings in Crime No.108 of 2022 pending on the file of the 1st respondent police so far as the petitioner.

For petitioners : Mr.N.Jeyaram Sidharth

For R-1 : Mr.A. Albert James
Government Advocate (crl. side)

For R-2 : Mr.A.Subash



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ORDER

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This Criminal Original Petition has been filed to quash the proceedings as against the petitioners, in Crime No.108 of 2022 pending on the file of the 1st respondent police, for the offences under Sections 294(b), 324 and 506(ii) of IPC.

2. The case of the prosecution is that a wordy quarrel arose between the petitioners and the defacto complainant. Hence, the complaint.

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

4. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by the learned Counsels appearing for the parties. This Court also enquired both



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the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. In the instant case, the dispute is of personal in nature, where the parties have compromised the matter, the High Court has to power to quash the complaint for the offence under Sections 294(b), 324 and 506(ii) of IPC.

6. 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.

7. 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.108 of 2022 pending before the first respondent police, even though, the offences involved are not compoundable in nature.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.108 of 2022 on the file of the first



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respondent police, is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order.

25.08.2022

Internet:Yes./No
Index:Yes/no
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To

1. The Inspector of Police,
Vathalai Police Station,
Trichy District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

ksa

ORDER IN
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