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CrI.O.P.No.1571 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.1571 of 2022

and

CrI.M.P.No.640 of 2022

1.Willander Bennatt Royan

2.Celina

... Petitioners

Vs.

1.The Inspector of Police,
W-29, AWPS, Avadi Police Station,
Avadi.

2.Bhuvana Saravanan

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for records and quash the FIR in Cr.No.16 of 2021, pending on the file of the Inspector of Police, W-29, AWPS, Avadi Police Station, Avadi.

For Petitioners	: Mr.N.Iyyakannu
For R1	: Mr.S.Santhosh, Government Advocate (CrI.Side)
For R2	: Mr.V.Saravanan

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime



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No.16 of 2021 on the file of the first respondent.

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2.The learned counsel for the petitioners submitted that the petitioners 1 and 2 are present and the second respondent/*de-facto* complainant is also present before this Court. He submitted that the petitioners and the second respondent have resolved their dispute and the second respondent has no objection for quashing the same. Hence, he seeks for quashing the FIR in Crime No.16 of 2021 registered under Sections 406, 420 and 506(i) of IPC.

3.The learned Government Advocate (Crl.Side) submitted that 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 dated 23.11.2022 has been filed before this Court, which have been signed by the petitioners and the second respondent and also by the learned counsel for the parties. In the joint compromise memo, it is alleged that the second respondent received a sum of Rs.3,50,000/- through Demand Draft bearing DD No.976628 on 01.10.2021 drawn on Canara Bank.



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5.The petitioners 1 and 2 and the second respondent were also present in person before this Court and they were identified by **Ms.K.Usharani, WSSI, W29, AWPS, Avadi, Chennai – 600 054**. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The second respondent answered this Court, that in order to maintain a healthy and peaceful life, she does not want to prosecute the case against the petitioners and she has no objection for quashing the FIR in Crime No.16 of 2021 on the file of the first respondent.

6.Considering the fact that the petitioners have repaid the amount of Rs.3,50,000/- to the second respondent/*de-facto* complainant and that the second respondent does not want to prosecute the case against the petitioners and that she has no objection for quashment of proceedings and also considering that the offences are compoundable offence, no useful purpose will be served in keeping the First Information Report pending.

7.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 Guj Rath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C.,



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quashes the First Information Report in Crime No.16 of 2021.

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8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.16 of 2021, on the file of the first 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.

03.01.2023

Index: Yes/No
Speaking/Non speaking order
sp

To

1. The Inspector of Police,
W-29, AWPS, Avadi Police Station,
Avadi.
2. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN.J.,

sp

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