



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.16831 of 2023

Deepak Kumar Behera

Petitioner

vs.

1.The State Rep. by
The Inspector of Police,
SRMC All Women Police Station,
Mangadu,
Chennai – 600 122.

2.Desan

3.Rani

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.1310 of 2021 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.P.G.Santhosh Kumar

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

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.1310 of 2021, pending on the file of the 1st respondent.



2. The case is still at the stage of investigation. The parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. The Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the 2nd & 3rd respondents and also by their respective counsel. The petitioner and the 2nd & 3rd respondents were also present in person before this Court and they were identified by Ms.K.Gracy, Women Special Sub Inspector of Police, SRMC All Women Police Station. |

4. The 3rd respondent/victim girl Rani was present before this Court. She stated that her date of birth is 02.01.2004 and she further stated that she is doing nursing course. According to her, she had an affair with the petitioner and she is no longer interested to continue their relationship. She categorically stated that she does not want to prosecute the case. The father of the victim girl who is the *defacto* complainant also stated that he does not want to prosecute the case any further. In the joint compromise memo it has been stated that the petitioner and the 2nd & 3rd respondents had entered into a compromise and amicably settled their issues in Crime No.1310 of 2021. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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5. 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. quashes the First Information Report in Crime No.1310 of 2021, on the file of the 1st respondent Police.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1310 of 2021, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order.

27.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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N. ANAND VENKATESH, J.

SSR

- 1.The Inspector of Police,
SRMC All Women Police Station,
Mangadu,
Chennai – 600 122.
- 2.The Public Prosecutor,
Puducherry.

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