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Crl.O.P.No.16319 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

**Crl.O.P.No.16319 of 2023
and Crl.M.P.No.10375 of 2023**

Abdhul Rahman

.. Petitioner

Versus

**1. State represented by,
Sub Inspector of Police,
All Women Police Station,
Cuddalore District.
(Cr.No.14 of 2023)**

**2. Minor Narkiz
Rep., by her father
Jafar Shathik**

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to quash the First Information Report in Crime No.14 of 2023 on the file of the first respondent Police.

For Petitioner : Mr.N.U.Pressanna

**For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)
for R1**



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ORDER

The Criminal Original Petition has been filed to quash the F.I.R in Crime No.14 of 2023, pending on the file of the first 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 affidavit dated 08.07.2023 of the second respondent / de-facto complainant and the joint memo of compromise entered into between the petitioner and the second respondent / de-facto complainant have been filed before this Court. The petitioner and the second respondent were also present in person before this Court. In order to identify the respective parties, they have also produced the copies of the Aadhaar Cards and the Aadhaar Cards are made part of the record. In the affidavit, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.14 of 2023. This



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Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. The victim girl was present along with her parents Jafar Sathik and Rehmad Nisha. She stated that she had an affair with the petitioner and that she will marry the petitioner after she attains majority. She also stated that the due date for the delivery of the child is during the month of August, 2023. The parents of the victim girl also stated that they will get the victim girl married to the petitioner after she attains majority.

5. The petitioner (Date of Birth 12.06.2004) aged about 19 years was present at the time of hearing along with his parents. The father of the petitioner namely Dawood stated that the second respondent is a distant relative and that he was not aware about the relationship between the petitioner and the victim girl. He further assured that the petitioner will marry the victim girl after she attains majority.

6. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences



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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 Vs. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 of Cr.P.C., quashes the First Information Report in Crime No.923 of 2021, on the file of the first respondent Police.

7. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.14 of 2023, on the file of the first respondent Police, is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

20.07.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The Public Prosecutor,
High Court of Madras.



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2. The Sub Inspector of Police,
All Women Police Station,
Cuddalore District.



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N.ANAND VENKATESH, J.

grs

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