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CrI.OP.No.32667 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.32667 of 2022

1.Giriraj Dhiran

2.Amrit Lal Dhiram

3.Bhanwari

4.Tarun Dhiran

... Petitioners

Vs.

The State, represented by
the Inspector of Police
W8 All Women Police Station,
Thirumangalam, Chennai

2.N.Rani Bisani

.. Respondents

PRAYER : Criminal Original Petition filed under Section 482
Cr.P.C. praying to quash the FIR in Cr.No.22 of 2022 on the file of the
Inspector of Police, W8 - AWPS, Thirumangalam, Chennai.

For Petitioners : Mr.V.Kannadasan
For Respondents : Mr.S.Santhosh, Govt. Advocate for R1.
M/s.S.Shrenik Raj, for R2.



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ORDER

This Criminal Original Petition is filed to quash the FIR in Cr.No.22 of 2022 on the file of the Inspector of Police, W8 - AWPS, Thirumangalam, Chennai and to quash the same.

2. When the matter is taken up today, the learned counsel for the petitioners and the second respondent/defacto complainant has filed a joint memorandum of compromise signed by both the parties along with their respective counsel on record. As per the joint memorandum of compromise it is claimed that parties have resolved their dispute among themselves with the help of their friends and relatives and the second respondent has stated no objection for quashing the complaint. It is seen from records that this case was registered in Cr.No.22 of 2022 by the Inspector of Police, W8 - AWPS, Thirumangalam, Chennai for the offences under Section 498A and 406 IPC. It is the case of dowry harassment, now it appears that the parties have resolved the dispute among themselves and entered into the joint memorandum of compromise.



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3. The petitioners and the second respondent were present in person before this Court and they were identified by **Mrs.R.Kavitha, WHC 20812** attached to **W8 AWPS Thirumanaglam, Chennai**. This Court also enquired both the parties and 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 proceedings in Cr.No.22 of 2022 on the file of the Inspector of Police, W8 - AWPS, Thirumangalam, Chennai.

4. The learned Government Advocate (Crl.Side) for the first respondent submitted that it is a matrimonial dispute between the parties. The first petitioner/husband and the second respondent/wife/defacto complainant have also filed petition in OP.No.5534 of 2022 on the file of Additional Family Court, Chennai for mutual divorce. By passage of time, the parties have decided to bury their hatchet and compromised the dispute amicably among themselves.



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5. It is seen from records, the second respondent/defacto complainant has received all the gold and silver ornaments along with the house hold articles and her personal belongings from the first petitioner, for which she had also acknowledged the same in the joint memorandum of compromise.

6. Considering the fact 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 proceeding in Cr.No.22 of 2022 pending.

7. In the light of the guidelines issued by the Hon'ble Apex Court in the case of **Gian Singh vs. State of Punjab and another** reported in **(2012) 10 SCC 303** and **Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath**) reported in **(2017) 9 SCC 641**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the proceedings in Cr.No.22 of 2022.



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8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Cr.No.22 of 2022 pending, on the file of the Inspector of Police, W8 - AWPS Thirumangalam, Chennai is quashed and the joint memorandum of compromise dated 28.11.2022 shall form part and parcel of this order.

23.01.2023

tsh

Internet : Yes/No

Index : Yes/No

Speaking/Non Speaking Order

To

1. The Inspector of Police
W8-AWPS Thirumangalam, Chennai.

2. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J,

tsh

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23.01.2023.