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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.2895 of 2024

Balaji

.. Petitioner/ Accused -5

vs.

1.State rep.by

The Inspector of Police

H-5, New Washermenpet Police Station

Chennai 600 081.

..Respondent/Complainant

Crime No.521/2023

2.Umarul Farook

..2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in FIR No.521 of 2023 on the file of the Inspector of Police, New Washermenpet Police Station, New Washermenpet, Chennai 600 081 and quash the same.

For Petitioner : Mr.R.Nagaraj

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

Mr.R.V.Pradeep for R2

ORDER

The Criminal Original Petition has been filed seeking to call for the records and quash the FIR in Crime No.521 of 2023, pending on the file of the 1st respondent police.



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

3. A Joint Memo of Compromise has been filed by the petitioner and de facto complainant before this Court. In order to identify the respective parties they have also produce the copy of the Aadhaar Card is made part of the record. The petitioner and the 2nd respondent/de facto complainant were also present in person before this Court. In the Joint Memo of Compromise, it has been stated that the petitioner and the 2nd respondent have entered into a compromise and amicably settled their issues in Crime No.521 of 2023, pending on the file of the 1st respondent.

4. Under such circumstances, no useful purpose will be served in keeping the case 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, quash the FIR in Crime No.521 of 2023, pending on the file of the 1st respondent.

5. This Criminal Original Petition stands allowed and as a sequel,



investigation in 521 of 2023, pending on the file of the first respondent, is

hereby quashed **in entirety** and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1500/- (Rupees one thousand five hundred only) as costs, to the credit of the **President, Tamil Nadu Advocate's Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157)**, within a period of two weeks from the date of receipt of copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

6.Post this case for reporting compliance on **19.3.2024**.

28.02.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
kp

Note: Issue order copy on **6.3.2024**

To

- 1.The Inspector of Police
H-5, New Washermenpet Police Station
Chennai 600 081.
2. The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH,, J.
kp

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