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Crl.O.P No.26989 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.26989 of 2023

Waseem Ali

... Petitioner/Accused

.VS.

1.The Inspector of Police
W-16, All Women Police Station
Pulianthope, Chennai-600012.

..Respondent /Complainant

(Crime No.17 of 2022)

2.Nasreen

.. Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the proceedings viz., FIR in Crime No.17 of 2022, pending on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.S.Sathish Rajan

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

Mr.S.Subramaniya
for R2



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ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.17 of 2022, pending on the file of the 1st respondent police.

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. Joint Memo of Compromise dated 06.11.2023 has been filed before this Court which have been signed by the petitioner and the 2nd respondent and also by their respective counsel. An affidavit has also been filed by the second respondent 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 second respondent were also present in person before this Court and they were identified by Ms.D.Sumathi, WSSI-16632, W-16 All Women Police Station (Mobile No.9440208987). In the joint compromise memo, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.17 of 2022. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. 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



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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 Suprme Court in **The State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.17 of 2022, on the file of the 1st respondent Police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.17 of 2022, on the file of the 1st respondent police, is quashed and the terms of joint memo of compromise and the affidavit of the 2nd respondent dt.6.11.2023, shall form part and parcel of this order.

02.01.2024

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
KP

To

1.The Inspector of Police
W-16, All Women Police Station
Pulianthope, Chennai-600012

2.The Public Prosecutor,
High Court of Madras,
Madras.

N. ANAND VENKATESH., J

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