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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.88 of 2024

SMr.Mohamed Salman Khan

...Petitioner/Accused

.Vs.

1.State rep.by
The Inspector of Police
AWPS, Tiruvannamalai.

..1st Respondent/Complainant

(Crime No.8 of 2022)

Mrs.Shaheera alias Chandini

..2nd Respondent/De facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.8 of 2022, dated 4.3.2022, pending on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.V.Arunagiri

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

Mr.A.Jotheeswaran for R2

**ORDER**

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This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.8 of 2022, pending on the file of first respondent police.

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

3. Affidavit of compromise dated 21.11.2023, signed by both petitioner and second respondent/*de facto* complainant and their respective counsel has been filed before this Court. The petitioner and second respondent were also present in person before this Court. In the affidavit of compromise, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.8 of 2022, pending on the file of first respondent. 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 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. quashed the FIR in Crime No.8 of 2022, pending on the file of first respondent.

5.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.8 of 2022, pending on the file of first respondent is quashed in entirety and the terms of affidavit 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.

7.Post this case for reporting compliance on **6.2.2024.**

22.01.2024

1/2 Speaking Order/Non-Speaking Order
Index: Yes/No
Internet: Yes/No
kp
Note: Issue order copy on 31.01.2024



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N.ANAND VENKATESH.J.,

kp

To

- 1 The Inspector of Police
AWPS, Tiruvannamalai.
- 2.The Public Prosecutor,
High Court of Madras,
Madras.

Crl.OP No.88 of 2024

22.01.2024

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