



Crl.O.P.(MD)No.20384 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.20384 of 2024

1. Noor Mohammed
2. Babar Kahn

... Petitioners

Vs.

1. The Inspector of Police,
K.Pudur Police Station,
Madurai.
(Crime No.33 of 2023)

2. Bayash Ali

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the the case in Crime No.33 of 2023 on the file of the first respondent police and quash the same against the petitioners.

For Petitioners : M/s.K.Prasath

For R-1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. side)

For R-2 : Mr.K.Kalidasan



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5. A Joint Memo of Compromise dated 22.10.2024 has been filed before this Court, which has been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by A.Krishnan, SSI, E.K.Pudur Police Station, Madurai, as well as by the learned counsels appearing for the parties. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. In the instant case, the dispute is of personal in nature and now the parties had compromised. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offences under Sections 147, 323, 427, 448 and 506(1) of IPC.

7. The legal position expressed 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 ***Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat*** reported in ***(2017) 9 SCC 641*** were taken into consideration.



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8. In the light of the guidelines issued in the above said Judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the proceedings in Crime No.33 of 2023, pending before the first respondent Police, even though, the offences involved are not compoundable in nature.

9. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.33 of 2023 on the file of the first respondent Police, is quashed and the terms of joint compromise memo dated 22.10.2024, shall form part and parcel of this order.

22.11.2024

NCC : Yes / No
Index : Yes / No
jbr



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WEB COPY To

- 1.The Inspector of Police,
K.Pudur Police Station,
Madurai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

jbr

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