



Crl.O.P.No.25742 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

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1. Christian Meier

2. Hirdyanandan Tiwari

... Petitioners

Vs.

1. State by

Inspector of Police
District Crime Branch
The Nilgiris at Ooty

2. Sunita Dharam Bhatia

(Earlier known as 'Sunita Bhatia')

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records and quash the police report in C.C.No.36 of 2024 on the file of learned Chief Judicial Magistrate, Uthagamandalam.

For Petitioners : Mr.N.Ponraj
For R1 : Mr.R.Vinothraja
Government Advocate (Crl. Side)
For R2 : Mr.C.Prabhu



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ORDER

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This Criminal Original Petition has been filed to quash the final report in C.C.No.36 of 2024 filed against the petitioners for the offences under Sections 420, 465, 471, 468, 120B and 109 IPC, on the file of learned Chief Judicial Magistrate, Uthagamandalam, on the basis of compromise entered between the parties.

2. Heard the learned counsel appearing for the petitioners, the learned counsel appearing for the second respondent and the learned Government Advocate (Criminal Side) appearing for the first respondent police.

3. The case of the prosecution is that the second respondent is the principal of one Vijayan. On the complaint of said Vijayan, the present criminal case was filed against the first petitioner/husband of the second respondent and also against the second petitioner as if the petitioners by forging documents and impersonation executed a sale deed.

4. The learned counsel for the petitioners submitted that now the parties have arrived to an amicable settlement between them and an affidavit of compromise dated 22.08.2025 has also been filed to that effect by the second respondent/principal of said Vijayan. Hence, he seeks to quash the the final report against the petitioners.

5. The petitioners appeared before this Court in person and the second



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respondent/defacto complainant appeared through video conferencing and they were identified by their respective counsel as well as by Mr.R.Rajkumar, SSI, District Crime Branch, Ooty.

6. On being enquired by this Court, the 2nd respondent/defacto complainant stated that she has amicably settled the dispute with the petitioners and not willing to pursue the criminal proceedings and she has no objection to quash the same. An affidavit of compromise dated 22.08.2025 has also been filed to that effect.

7. The main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-compoundable offences pending against the petitioners. The Hon'ble Supreme Court in the case of *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat*, reported in *2017 9 SCC 641* and in case of *The State of Madhya Pradesh Vs. Dhruv Gurjar and Another* reported in *(2019) 2 MLJ Crl 10*, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 482 of Cr.P.C/528 BNSS, to quash non-compoundable offences. One very important test that has been laid down is that the Court must necessarily examine if the crime in question is purely individual in nature or a crime against the society with overriding public interest. The Hon'ble Supreme Court has held that



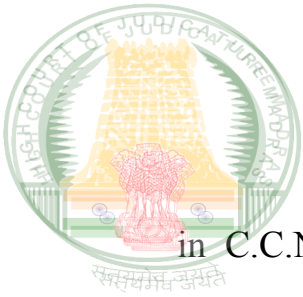
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offences against the society with overriding public interest even if it gets settled between the parties, cannot be quashed by this Court.

8. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners and the second respondent and quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be served in continuing with the criminal proceedings. Further, the Hon'ble Supreme Court in *K.Bharthi Devi v. State of Telengana* reported in (2024) 10 SCC 384, has held that the offences, which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions, where the wrong is basically to the victim, and the offender and the victim have settled all the disputes between them amicably, can be quashed by the High Court in exercise of its jurisdiction under Section 482 Cr.P.C.

9. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners and the second respondent and quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be served in continuing with the criminal proceedings.

10. In view of the above, the final report filed against the petitioners



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in C.C.No.36 of 2024 on the file of learned Chief Judicial Magistrate,
Uthagamandalam, is quashed. The affidavit of compromise dated
22.08.2025 filed by the second respondent for compromising the offence
shall form part of the record.

11. Accordingly, this Criminal Original Petition is allowed.

19.09.2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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- To**
1. The Chief Judicial Magistrate,
Uthagamandalam.
 2. Inspector of Police
District Crime Branch
The Nilgiris at Ooty
 3. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

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