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CrI.O.P.No.26515 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.26515 of 2025

1. U.Parveen Banu @ Parveen
2. Amanullah ... Petitioners

Vs.

1. State represented by,
The Inspector of Police,
F-4, Thousand Lights Police Station,
Triplicane, Chennai.
(Crime No.261 of 2025)
2. R.Lalitha Rani ... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records and quash the proceedings in Crime No.261 of 2024 on the file of the first respondent in entirety.

For Petitioners : Mr.R.Chandran

For R1 : Mr.K.M.D.Muhilan
Additional Public Prosecutor

ORDER



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The present Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.261 of 2024, pending against the petitioners on the file of the first respondent, on the basis of the compromise arrived at between the petitioners and the *de facto* complainant/second respondent.

2. Heard both sides and perused the materials available on record.

3. Based on the complaint given by the *de facto* complainant/R2, a case in Crime No.261 of 2024 was registered on the file of the first respondent Police against the petitioners, for the offences under Sections 329(3), 296(b) & 115(2) of BNS.

4. Learned counsel appearing for both the petitioners and the *de facto* complainant submitted that the petitioners have settled their dispute with the *de facto* complainant amicably and hence, seek to quash the First Information Report as against them. They have also filed affidavits and a Joint Memo of Compromise to that effect.



5. The petitioners and the de-facto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Mr.S.Karuppasamy, SSI (57958), F-4, Thousand Lights Police Station.

6. On being enquired by this Court, the *de facto* complainant stated that she has amicably settled the dispute with the petitioners and she is not willing to pursue the the criminal proceedings and therefore, seeks to quash the same.

7. Learned Additional Public Prosecutor appearing on behalf of the first respondent submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence, has to consider the issue as to whether an offence of this nature can be quashed on the ground of compromise between parties.

8. 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 Gujarat*, reported in *2017 9 SCC 641* and in case of *The State of*



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

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. In view of the above, this Court is inclined to quash the First Information Report registered in Crime No.261 of 2024 pending on the file of the first respondent Police, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

10. In view of the above, this Criminal Original Petition is



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allowed. The First Information Report in Crime No.261 of 2024 pending on the file of the first respondent Police, is quashed as against the petitioners.

The Joint Memo of Compromise and the affidavits filed by the petitioners and the second respondent for compromising the offences shall form part of this order.

03.11.2025

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Neutral Citation: Yes/No

To

1. The Inspector of Police,
F-4, Thousand Lights Police Station,
Triplicane, Chennai.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.
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