



CrI.O.P.No.34896 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2026

CORAM:

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

CrI.O.P.No.34896 of 2025

and

CrI.M.P.No.24493 of 2025

1. Nilaksh Jaiswal
2. Utkarsh Mehta
3. Sidak Singh
4. Diyanish Rustagi ... Petitioners

Vs.

1. The State of Tamil Nadu,
Represented by the Inspector of Police,
Maraimalai Nagar Police Station,
Chengalpattu – 600 018.
2. Ashmit Srivastava ... 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 impugned First Information Report in Crime No.500 of 2025 dated 02.11.2025 on the file of the first respondent police.

For Petitioners : Mr.V.Chandrasekaran

For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)



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seeks to quash the aforesaid case as against the petitioners. Affidavits and

Joint Memo of Compromise to that effect have also been filed.

5. The petitioners and the *de facto* complainant/R2, along with their parents, appeared before this Court and they were identified by the learned counsel for the petitioner as well as by Mr.M.Mohan, Sub-Inspector of Police, Maraimalai Nagar Police Station.

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

7. Learned Government Advocate (Criminal Side) appearing on behalf of the first respondent police submitted that though the parties have entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offences, has to consider the issue as to whether the offences of this nature can be quashed on the ground of compromise between parties. He further submitted that the final report in this case has been e-filed before the learned Judicial Magistrate No.II,

Chengalpattu.

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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***, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 482 of Cr.P.C. (corresponding to Section 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 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 all the further proceedings against the petitioners in



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connection with Crime No.500 of 2025, in exercise of its jurisdiction under

Section 482 Cr.P.C./Section 528 BNSS.

10. Accordingly, this Criminal Original Petition stands allowed and in consequence thereof, all further proceedings pending against the petitioners pursuant to Crime No.500 of 2025, are quashed. Consequently, the connected miscellaneous petition is closed.

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

23.01.2026

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Neutral Citation: Yes/No

To

1. The Judicial Magistrate No.II,
Chengalpattu.
2. The Inspector of Police,
Maraimalai Nagar Police Station,
Chengalpattu – 600 018
3. The Public Prosecutor,
High Court of Madras.

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A.D.JAGADISH CHANDIRA, J.

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