

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM No.M- 37034 of 2014
Date of decision: 16.01.2015**

Ashish Kakkar @ Ashutosh KakkarPetitioner

Versus

U.T. Chandigarh and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE RITU BAHRI

Present: Mr. Ankur Malim, Advocate
for the petitioner.

Mr. A. S. Gill, Advocate
for UT, Chandigarh.

Mr. R.S.Bhathal, Advocate
for respondent No.2.

RITU BAHRI J. (Oral)

Quashing of FIR No.123 dated 20.05.2014, under Sections 420 IPC, registered at Police Station Sector 26, Chandigarh, is being sought on the basis of compromise dated 28.10.2014 (Annexure P-2).

FIR was registered on the statement made by Sanjay Kumar with the allegations that the petitioner purchased Desi Ghee from the complainant's firm and paid Rs.3,37,080/- as advance and the remaining amount of Rs.2,00,000/- was to be paid on receipt of the consignment but as the received consignment was not of the best quality, therefore, the present dispute arose and in this background, the FIR was registered.

The matter has now been duly compromised between the

parties, vide compromise deed dated 28.10.2014(Annexure P-2).

In compliance of the order dated 31.10.2014, report of Additional Chief Judicial Magistrate, Chandigarh, has been received in this regard. As per the report, statement of the complainant-Snajay Kumar, as well as the petitioner have been recorded to the effect that they had compromised the matter with each other and the complainant have no grudge against the present petitioner(s). The compromise have been arrived voluntarily and without any pressure. The complainant has no objection, if the present F.I.R., be quashed against the petitioner(s).

Consequently, in view of the status report and in view of the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot Vs. State of Punjab 2008 (2) RCR (Criminal) 429**, the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. Vs. State of Punjab and another 2007 (3) RCR (Criminal) 1052**, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.123 dated 20.05.2014, under Sections 420 IPC, registered at Police Station Sector 26, Chandigarh, is quashed with all consequential proceedings arising therefrom.

(RITU BAHRI)
JUDGE

16.01.2015
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