

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

CRM-M-14126 of 2016(O&M)

Date of Order: 15.11.2016

Vivek Chaudhary and others

..Petitioners

Versus

State of UT, Chandigarh and another

..Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Narinder S. Lucky, Advocate,
for the petitioners.

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

Mr. Paras Chugh, Advocate,
for respondent no.2.

ANITA CHAUDHRY, J. (Oral)

The instant petition is for quashing of FIR No.149, dated 26.03.2014, registered under Sections 406 and 498-A IPC, Police Station, Sector 11, Chandigarh and all the consequent proceedings arising out of the same, on the basis of written compromise arrived at between the parties.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise. The trial Court has reported that the statements regarding the compromise were made by them out of their own free will and without any threat or coercion from any side. The compromise is voluntarily in nature. The trial court has also sent statements of parties.

Learned counsel for the State on instructions submits that

petitioners are the only accused and respondent no.2 is the only aggrieved person in this FIR.

No useful purpose would be served to keep the FIR pending.

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal), 1052**, approved by Hon'ble Apex Court in **Gian Singh vs. State of Punjab and others (2012) 10 SCC 303**, the instant petition is allowed and the aforesaid FIR and all consequent proceedings conducted on the basis thereof are quashed qua the petitioners.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

November 15, 2016
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(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No