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

CRM-M-15815-2016

Date of decision:01.09.2016

Rajeev Kashyap

... Petitioner

versus

State of U.T., Chandigarh and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Roopam Jain, Advocate,
for the petitioner.

Mr. Amit Kumar Goyal, APP, UT, Chandigarh,
for respondent No.1.

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.202 dated 11.12.2015 under Sections 323, 311, 452, 506 IPC registered at Police Station Sector 19, Chandigarh (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 09.05.2016 had directed the parties to appear before the Illaqa Magistrate/trial Court and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Judicial Magistrate Ist Class, Chandigarh and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted the report dated 07.06.2016 to the effect that the compromise has been effected between parties voluntarily, without any

pressure/coercion from any quarter.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Santosh Kumari, but no prejudice would be caused to her as she has already made her statement with regard to the compromise before learned Magistrate on 27.05.2016. The same is being reproduced as under:-

“With the intervention of respectables and friends I have compromised the matter with accused without any pressure, coercion or undue influence and voluntarily and free will. I have no objection if the present case FIR be quashd by Hon'ble High Court.”

Learned counsel for U.T., Chandigarh has not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052** and approved by the Hon'ble Supreme Court in **Gian Singh Versus State of Punjab and others (2012) 10 SCC 303**, this petition is allowed and F.I.R. No.202 dated 11.12.2015 under Sections 323, 311, 452, 506 IPC registered at Police Station Sector 19, Chandigarh (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise (Annexure P-2).

(HARI PAL VERMA)
JUDGE

01.09.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.