

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15823 of 2016(O&M)

Date of Order:01.12.2016

Sanjeev Kumar

..Petitioner

Versus

UT Chandigarh and another

..Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. H.R.Bhardwaj, Advocate,
for the petitioner.

Mr. J.S.Toor, APP, for UT, Chandigarh.

Mr. H.K.Brinda, Advocate,
for respondent no.2.

ANITA CHAUDHRY, J. (Oral)

The instant petition is for quashing of FIR No.47, dated 02.02.2013, registered under Sections 406 and 498-A IPC, Police Station Sector 39, 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 compromise is voluntarily, without any threat, coercion and undue influence. The trial court has also sent photocopies of statements of parties.

Learned counsel for the State on instructions submits that petitioner is 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 petitioner.

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

December 01, 2016
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(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No