

358.

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

CRM-M-17373-2016

Date of decision:14.09.2016

Aakansha Verma

... Petitioner

versus

State of U.T., Chandigarh and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Som Nath Aneja, Advocate,
for the petitioner.

None for respondents.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.386 dated 27.09.2015 under Sections 279, 427 IPC, registered at Police Station Sector 17, Chandigarh (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 13.05.2016 (Annexure P-2).

This Court vide order dated 19.05.2016 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, parties have appeared before learned Chief Judicial Magistrate, Chandigarh and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted the report dated 10.08.2016 to the effect that the compromise effected between parties appears to be without any fear or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Lakhwinder Sharma, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 03.08.2016. The same is being reproduced as under:-

“I have entered into compromise with the accused-petitioner Aakansha Verma in case FIR No.386 dated 27.9.2015 u/s 279, 427 IPC, PS Sector 17, Chandigarh in order to settle the dispute amicably vide compromise dated 13.5.2016, copy of which has already been produced before the Hon'ble High Court. I have signed the compromise voluntarily. In view of the compromise, present FIR may be quashed. Compromise has been effected with my own free will and consent and without any coercion or undue pressure”

Despite service, no one has put in appearance on behalf of respondent No.1-State of U.T., Chandigarh.

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.386 dated 27.09.2015 under Sections 279, 427 IPC, registered at Police Station Sector 17, Chandigarh (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 13.05.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

14.09.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.