

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25849-2016

Date of Decision:- 07.12.2016

Rajiv Sharma @ Johny

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. K.R. Dhawan, Advocate, for the petitioners.

Ms. Manpreet Dhaliwal, AAG, Punjab.

None for respondent No.2.

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.28 dated 14.04.2015, under Section 354-A, registered at Police Station Division No.6, Jalandhar, on the basis of compromise dated 17.05.2016 (Annexure P-2).

Brief facts of the case are that the accused person had passed objectionable gestures to the complainant and thereafter he has threatened the complainant with dire consequences. Due to the said fact, the F.I.R was registered against the petitioner.

Learned counsel for the petitioner submits that keeping in view the peace and harmony, the matter has now been amicably settled between the parties with the intervention of respectable persons, vide compromise dated 17.05.2016 (Annexure P-2).

During the course of preliminary hearing, the trial Court, was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise dated

17.05.2016 (Annexure P-2), by way of order dated 29.07.2016, by this Court.

In compliance of order dated 29.07.2016 of this Court, the report of the Judicial Magistrate 1st Class, Jalandhar, dated 17.09.2016 has been received. As per the report, the statements of all the concerned parties have been recorded and the complainant has no objection, if the present FIR registered against the petitioner is quashed. Statements of the petitioner and complainant have been recorded to the same effect.

Consequently, in view of the above-said report and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. Vs. State of Madhya Pradesh and another, 2008(2) RCR (Criminal) 910; Madan Mohan Abbot vs. State of Punjab, 2008(2) RCR (Criminal) 429** and 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 (Crl.) 1052**, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.28 dated 14.04.2015, under Section 354-A, registered at Police Station Division No.6, Jalandhar and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 17.05.2016 (Annexure P-2).

The present petition stands disposed of.

December 07, 2016
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No