

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-40187 of 2015

Date of Decision: 31.05.2016

Vikas Rathee and another

.....Petitioners

Versus

Union Territory and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Saurav Khurana, Advocate
for the petitioners.

Ms. Ashima Mor, APP
for U.T., Chandigarh-respondent No. 1.

Mr. Madan Sandhu, Advocate
for respondent No. 2.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No. 322 dated 3.8.2014 registered under Sections 294, 354, 323, 506, 34 IPC, Police Station Sector-11, Chandigarh (Annexure P-1) 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 voluntary. The trial Court has also sent copy of the 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 Vs. 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.

(ANITA CHAUDHRY)
JUDGE

May 31, 2016
Gurpreet