

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

(260)

CRM-M-40359-2015

Date of Decision:-22.09.2016

Dinesh Mittal and another

.....Petitioners

V/S

State of Punjab and others

.....Respondents

CORAM: **HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present : Mr. Vishal Gupta, Advocate,
for the petitioner(s).

Mr. K.S. Sidhu, AAG Punjab.

Mr. Manbir Singh Batth, Advocate,
for complainant.

A.B. Chaudhari, J. (Oral)

Heard learned counsel for the rival parties.

In FIR No.205 dated 19.09.2014 registered under Section 3 of the Prevention of Damages to Public Property Act, 1984 at Police Station Phase 1, SAS Nagar, Mohali, the petitioners seeking quashing of the FIR on the basis of compromise.

Mr. Manbir Singh Batth, Advocate, appears for Municipal Corporation Sahibzada Ajit Singh Nagar, Mohali and submits that the said offence was registered against the petitioners because they unauthorisedly digging the road/footpath/pavement and, therefore, there was damage to the public property. He, however, submits that by now the petitioners have paid the fine that was imposed by the Municipal Corporation and all the corporations are hardly interested in prosecuting

them.

In my opinion, there is no point in continuing the prosecution, particularly when the petitioners have paid the fine and the same is received by the Municipal Corporation.

In that view of the matter, FIR No.205 dated 19.09.2014 registered under Section 3 of the Prevention of Damages to Public Property Act, 1984 at Police Station Phase 1, SAS Nagar, Mohali is quashed by way of compounding/compromise along all consequential proceedings arising therefrom.

Disposed of.

September 22, 2016

Pankaj

(A.B. Chaudhari)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No