

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

CRM-M-7473 of 2016
Date of decision: 05.09.2016

Ravinder Singh Gill

----Petitioner (s)

V/s

U.T. of Chandigarh and another

-----Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- None for the petitioner.

Mr.Anil K. Lamdharia, Addl. P.P. U.T.

Ms.Ankita Dada, Advocate for
respondent No.2/complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.48 dated 01.02.2014 under Section 279 and 337 IPC, registered at Police Station, Sector-11, Chandigarh (Annexure P-1), and all consequential proceedings arising therefrom including proceedings pending before the learned Judicial Magistrate Ist Class, Chandigarh, on the basis of compromise dated 03.02.2016 (Annexure P-2).

This Court vide order dated 10.05.2016 had directed the parties to appear before the trial Court to get their statements recorded with regard to compromise and the trial Court was directed to submit its report qua the genuineness of the compromise.

Pursuant to the aforesaid order dated 10.05.2016, the parties have appeared before learned Civil Judge (Junior Division), Chandigarh and got

their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 11.08.2016 to the effect that the parties have willfully settled their differences and reached at a bona fide compromise without any pressure and the same is genuine.

The statement made by the complainant-respondent No.2, namely, Shobit Singh before the Magistrate on 05.08.2016, reads as under:-

“Stated that the present FIR was registered on my statement. Now, I have compromised the matter in dispute with accused Ravinder Gill with the help of friends and relatives. Now, I do not want to pursue the present case further and I have no objection if present FIR is quashed.”

Apart from the statement of the complainant-respondent No.2, whereby he has shown no objection to the FIR being quashed, there is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

There is no representation on behalf of the petitioner.

Learned counsel for the State as well as learned counsel appearing for respondent No.2-complainant does not dispute the factum of compromise entered between the parties.

Accordingly, following 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 (P&H)**, as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others, (2012)10 SCC 303**, this petition is allowed and FIR No.48 dated 01.02.2014 under Section 279 and 337 IPC, registered at Police Station, Sector-11, Chandigarh (Annexure P-1), and all consequential proceedings arising

therefrom including proceedings pending before the learned Judicial Magistrate Ist Class, Chandigarh, are quashed, qua the petitioner, in view of the compromise dated 03.02.2016 (Annexure P-2).

05.09.2016
Anjal

[HARI PAL VERMA]
JUDGE

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No