

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

**CRM-M No.11621 of 2017
Date of Decision: 25.05.2017**

Anil Rana and others

..... Petitioners

Versus

UT, Chandigarh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Vishal Aggarwal, Advocate
for the petitioners.

Mr. Karanvir Singh, Advocate for
Mr. J. S. Toor, Advocate for UT.

Mr. Mayank Aggarwal, Advocate
for respondent No.2.

DEEPAK SIBAL J. (ORAL)

Through the present petition filed under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.58 dated 14.02.2017, registered under Sections 420 and 120-B IPC, at Police Station Sector-36, Chandigarh along with all further proceedings arising therefrom, on the basis of compromise.

On April 05, 2017, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate on 20.04.2017 for recording of their statements with regard to the genuineness of the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise, if any, between the parties as also apprise this Court whether the petitioners or any of their co-accused are ever declared as proclaimed offender(s) and if is there any other case pending against them.

As directed, report dated 26.04.2017 from the Judicial Magistrate, Ist Class, Chandigarh has been received, as per which the parties had recorded their statements before the Illaqa Magistrate in terms of the compromise arrived at between them out of their own free will and without any threat or coercion from any side, none of the accused is declared as proclaimed offender and no other criminal case is pending against them in any Court of law.

Learned State counsel has also no objection if the present petition is allowed .

In view of the above as also for the reasons that the dispute between the parties is private/commercial in nature; at the initial stage of investigation and that the matter having been compromised, continuation of the proceedings in pursuance of the afore-referred FIR, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in ***Kulwinder Singh and others Vs. State of Haryana and others, 2007 (3) RCR (Criminal), 1052***, I deem it just and proper to allow the petition and resultantly quash the FIR No.58 dated 14.02.2017, registered under Sections 420 and 120-B IPC, at Police Station Sector-36, Chandigarh and all further proceedings arising therefrom.

(DEEPAK SIBAL)
JUDGE

May 25, 2017

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No