

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

Sr. No.251

CRM-M No.12801 of 2016

Date of decision: 07.03.2017

Manish Kumar and others

....Petitioners

versus

Union Territory of Chandigarh and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Sunil Narang, Advocate, for the petitioners.

Ms. Ashima Mor, APP, U.T., Chandigarh.

Mr. Naveen Sharma, Advocate
for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

Through the present petition, quashing of FIR No.43 dated 11.03.2016, registered under Section 420 IPC and Section 66-D of I.T. Act, 2000, at Police Station Sector-11, Chandigarh, is sought for on the basis of compromise (Annexure P-3).

Through order of this Court dated 04.11.2016, the parties were directed to appear before the CJM/Illaq Magistrate to get their statements recorded, who in turn was directed to send a report to this Court as also to apprise this Court with regard to validity or otherwise of the compromise effected between the parties and also intimate whether any case is pending against either of the parties.

As directed, report dated 18.01.2017 from the Judicial Magistrate Ist Class, Chandigarh, has been received, as per which the parties recorded their statements before the trial Court in terms of the

compromise arrived at between them.

Learned State counsel has also raised no objection.

In view of the above, continuation of the proceedings in pursuance to the afore-referred FIR in which allegations are with regard to commercial dispute between the parties and in which the trial has not yet commenced, the matter having been compromised, 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 versus 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.43 dated 11.03.2016, registered under Section 420 IPC and Section 66-D of I.T. Act, 2000, at Police Station Sector-11, Chandigarh, and all proceedings arising therefrom.

(DEEPAK SIBAL)
JUDGE

March 07, 2017

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(i) Whether speaking/reasoned Yes/No

(ii) Whether reportable Yes/No