

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

284

CRM-M-18500 of 2017
DATE OF DECISION:30.08.2017

Santosh Kumar Dubey and another

... Petitioner(s)

V.

State of UT, Chandigarh and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Ravinder Rana, Advocate
for the petitioners.

Ms. Monika Jalota, Deputy Advocate General, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking quashing of FIR No.221 dated 13.07.2011, under Sections 323, 325, 452, 506, 34 of the IPC, registered at Police Station Sector 17, Chandigarh on the basis of compromise dated 03.04.2017, which has been arrived at between the parties and judgment dated 28.02.2017 passed in **Criminal Case No.11474 of 2013, titled as "State Vs. Santosh Kumar Dubey and another."**

Learned counsel for the petitioner contends that the FIR is outcome of a monetary dispute between friends which has now been resolved with the intervention of the respectables.

This Court vide order dated 10.08.2017 had directed the parties to appear before the trial Court to record the statements of the parties with regard to genuineness of the compromise and send a report to this Court. The report of Civil Judge (Jr. Divn.), Chandigarh dated 22.08.2017 has been received, wherein it is stated that in pursuance to

the order of this Court, the statements of the parties were recorded which indicates that

the compromise is genuine, without any coercion or undue influence.

Learned counsel for the petitioners has placed reliance upon a judgment of Single Bench of this Court in CRM-M. No.16531 of 2016, titled **Sukhdev Singh and others Vs. State of Punjab and another**, decided on 02.09.2016 and judgment of a Division Bench of this Court in the case of **Sube Singh and another Vs. State of Haryana and another**, 2013(4) RCR (Criminal) 102, wherein it has been held that this Court under Section 482 of the Cr.P.C. is empowered to quash criminal proceedings at any stage including the pendency of appeal to secure the ends of justice.

The instant FIR is outcome of a monetary dispute between friends which has now been resolved with the intervention of the respectables. It would be in the interest of justice if the FIR and all consequential proceedings arising therefrom including order of conviction are set aside to enable the parties to live in peace and harmony.

Consequently, the petition is allowed and FIR No.221 dated 13.07.2011, under Sections 323, 325, 452, 506, 34 of the IPC, registered at Police Station Sector 17, Chandigarh is quashed qua the petitioners and conviction and order of sentence dated 28.02.2017 passed by Judicial Magistrate Ist Class, Chandigarh is set aside. The appeal preferred by the petitioners against the aforesaid judgment and order is rendered infructuous and shall be declared so by the first Appellate Court.

30.08.2017

jt

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No