

Sr. No.244

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-28073 of 2015 (O&M)

Date of Decision:07.03.2017

Pradeep Sharma

... Petitioner

Versus

UT of Chandigarh and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Petitioner in person.

Mr. A.S.Cheema, Advocate,
for respondent No.7.

Mr. Rajiv Sharma, APP, UT., Chandigarh.

TEJINDER SINGH DHINDSA, J.(ORAL)

The instant petition has been preferred under Section 482 Cr.P.C. seeking quashing of FIR No.542 dated 17.12.2014, under Sections 341, 427, 506 IPC, registered at Police Station Manimajra, Chandigarh.

The complainant is represented through counsel. He happens to be none other than the real brother of the petitioner/accused. Parties are ad idem that the matter has since been settled.

The petitioner who is present in person has adverted to an order dated 05.01.2017 passed by the Hon'ble Supreme Court of India in Transfer Petition (C) Nos.1576-1579 of 2015 and which reads in the following terms:-

*“After having heard the learned counsel
appearing for the petitioner and the learned senior counsel
appearing for the respondents, we only direct the parties to*

take appropriate steps in these matters by withdrawing all allegations/complaints/cases whatsoever are pending before any Court of law or any authority against each other within a period of two weeks from today. There is no question of any payment (s) being made by either of the parties to each other.

Each party shall not have any claim and/or grievance against each other.

The Transfer Petitions are disposed of in the afore-stated terms.

Consequent upon the disposal of the Transfer Petitions, pending applications filed in these matters stand disposed of.”

Learned counsel appearing for the complainant contends that towards compliance of the order dated 05.01.2017 passed by the Apex Court, all proceedings initiated at his hands have already been withdrawn.

Per contra, petitioner submits that two complaints were lodged with the Senior Superintendent of Police, Chandigarh and out of which one is still pending final disposal.

Counsel appearing for the complainant responds by stating that the same already stands cancelled. He further undertakes that in the eventuality of any proceedings initiated by him still remaining pending, the same would also be withdrawn and would not be pressed.

In view of the facts and circumstances noticed hereinabove, continuation of criminal prosecution on account of the registration of the impugned FIR would be seen as an abuse of the process of law.

For the reasons recorded above, the present petition is allowed.

FIR No.542 dated 17.12.2014, under Sections 341, 427, 506 IPC, registered at Police Station Manimajra, Chandigarh and all proceedings emanating therefrom stand quashed.

07.03.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No