

Sr. No.243

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-29446 of 2016 (O&M)

Date of Decision:31.01.2017

Dinesh Dureja

... Petitioner

Versus

U.T. Chandigarh and others

... Respondents

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

Present:- Mr. Vineet Sehgal, Advocate,
for the petitioner.

Mr. D.S.Brar, APP, UT, Chandigarh.

TEJINDER SINGH DHINDSA, J.(ORAL)

The present has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.274 dated 23.08.2011, under Sections 419, 420, 467, 468, 471 and 120-B of Indian Penal Code, registered at Police Station Sector 17, Chandigarh on the basis of compromise.

Quashing was sought on the basis of alleged compromise and in terms of which the present petitioner is stated to have made a part payment of Rs.15 lacs to the complainant. It is further submitted by the counsel appearing for the petitioner that statements of the parties could not be recorded before the trial Court as the compromise entered into had not fructified in full and the balance payment could not be arranged by the petitioner.

Report of the Judicial Magistrate Ist Class, Chandigarh dated 23.01.2017 also records that statements have not been recorded as the complete payment has not been made over by the accused/present petitioner.

Under such circumstances, there would be no basis for this Court to accept the prayer made by the petitioner at this stage.

Petition dismissed as not pressed.

Needless to observe it would always be open for the petitioner to approach this Court afresh seeking quashing of the FIR in the eventuality of the settlement/compromise being satisfied in full.

Disposed of.

31.01.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No