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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.35161 of 2017
Date of Decision: 14.11.2017

Surinder Pal Goyal

..... Petitioner

Versus

U.T. Chandigarh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. A.P.S. Bhinder, Advocate,
for the petitioner.

Mr. Amit Kumar Goyal, A.P.P., U.T., Chandigarh.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R. No. 278, dated 12.07.2017, under Sections 279/337 of the Indian Penal Code, registered at Police Station Sector-39, Chandigarh, (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused vide Compromise Deed (Annexure P-2), which is duly signed by her. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at

between the parties. The Judicial Magistrate Ist Class, Chandigarh, vide report dated 03.11.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent No. 2 is not present nor she is represented by her counsel, however, she has made a statement on 26.10.2017, before the Judicial Magistrate Ist Class, Chandigarh, whereby she has admitted the factum of compromise with the accused person voluntarily and without any undue pressure.

[4]. In view of the report of the Judicial Magistrate Ist Class, Chandigarh, and in view of the decision of the Hon'ble Supreme Court in ***“Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543*** and ***“Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466***, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has herself compromised the dispute with the petitioner/ accused person.

[5]. In the circumstances, the present petition is allowed. F.I.R. No. 278, dated 12.07.2017, under Sections 279/337 of the Indian Penal Code, registered at Police Station Sector-39, Chandigarh, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

14.11.2017

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No