

CRM-M-38511-2015

[1]

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

(Sr. No.254)

CRM-M-38511-2015

Date of Decision:- May 16, 2017

Parkash

.....Petitioner

V/S

U.T. Chandigarh and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present : Mr. Gaurav Gupta, Advocate,
for the petitioner.

Mr. Parveen Chauhan, Advocate,
for Mr. Gagandeep S. Wasu, Addl. P.P. for UT Chandigarh.

Shri Dinesh Gupta, respondent No.2-complainant in person.

A.B. Chaudhari, J. (Oral)

Heard learned counsel for the rival parties.

The petitioner has filed the present petition under Section 482 of Cr.P.C. for quashing of FIR No.66 dated 23.02.2015 registered under Sections 420, 467, 468 and 471 of Indian Penal Code, 1860 at Police Station Industrial Area, Chandigarh and all subsequent proceedings arising out of the same on the basis of compromise (Annuxure P-2).

Learned counsel for the petitioner as well as respondent No.2-complainant who is present in Court state that they have arrived at a compromise. This Court had made an order dated November 16, 2015 directing the trial Court/Illaq Magistrate to record the statements in view of the compromise that has been arrived at between the parties and verify that whether the same is genuine or not. Now, there is a report received from

the Judicial Magistrate 1st Class, Chandigarh showing that the statements of

the parties have been recorded and the compromise that has been arrived at between the parties is genuine and without any pressure, coercion of undue influence.

Looking to the nature of offences registered in the FIR, I think, parties should be allowed to compound/compromise the offences in order to live in peace and harmony, however, subject to the payment of non-refundable costs by the petitioner in the sum of ₹5,000/- with the office of Senior Superintendent of Police, Chandigarh within a period of one week from today, which shall be forfeited to the State government.

In that view of the matter, FIR No.66 dated 23.02.2015 registered under Sections 420, 467, 468 and 471 of Indian Penal Code, 1860 at Police Station Industrial Area, Chandigarh is quashed by way of compounding/compromise along with all consequential proceedings arising there from.

In case of failure of payment of costs as aforesaid, the FIR in question shall stand automatically revived and the trial will continue against the petitioner.

Disposed of.

May 16, 2017

Pankaj

(A.B. Chaudhari)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No