

CRM-M-39797 of 2016**Date of decision: 21.02.2017****Jatinder Sabharwal**

... Petitioner

VS.

State of UT Chandigarh & Anr.

... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

* * *

Present : Mr. Karan Vir Nanda, Advocate
for the petitioner.

Mr. Anil Kumar, Addl. P. P.
for U.T. Chandigarh.

Mr. Suvir Kumar, advocate
for respondent No.2.

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DEEPAK SIBAL, J.(ORAL)

Through the present petition, quashing of FIR No.121, dated 01.04.2013, registered under Section 420 IPC and 64, 68 of the Copy Rights Act 1957, at Police Station Sector 11 (Annexure P-1), Chandigarh is sought on the basis of compromise (Annexure P-2).

Through orders of this Court dated 08.11.2016 and 28.11.2016, the parties were directed to appear before the Illaqa Magistrate/trial Court to get their statements recorded, who in turn was directed to send a report to this Court as also to apprise this Court the number of persons involved in the present FIR and if any of the accused is proclaimed offender.

As directed, report dated 17.01.2017 from the Judicial Magistrate Ist Class, Chandigarh has been received, as per which the parties recorded their statements before the trial Court in terms of the compromise arrived at between them and the petitioner who is the only accused in the present FIR is not a proclaimed offender.

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Learned State counsel has also raised no objection.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in **Kulwinder Singh and others versus State of Haryana and others, 2007 (3) RCR (Criminal) 1052**, I deem it just and proper to allow the petition and resultantly quash the FIR No.121, dated 01.04.2013, registered under Section 420 IPC and 64, 68 of the Copy Rights Act 1957, at Police Station Sector 11, Chandigarh (Annexure P-1) and all proceedings arising therefrom.

February 21, 2017
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(Deepak Sibal)
Judge

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>