

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.40172 of 2017
Date of Decision : 22.12.2017**

Munish Dev Sharma

.....Petitioner

Versus

State of UT Chandigarh and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Sanjeev Goyal, Advocate
for the petitioner.

Mr. Gautam Dutt, Addl. Public Prosecutor
for respondent No.1-U.T., Chandigarh.

Mr. Harbhajan Singh, Advocate
for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is accused in F.I.R No.120, dated 2nd August, 2017, under Sections 279/337 of the Indian Penal Code and Section 177 of the Motor Vehicles Act, registered at Police Station IT Park, Chandigarh (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings arising therefrom, on the basis of compromise.

2. Now the complainant has arrived at a settlement with the accused vide Compromise Deed (Annexure P-2), which is duly signed by him. 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 1st Class, Chadigarh, vide report dated 29th November, 2017 has apprised this Court that the

compromise arrived at between the parties is genuine and without any pressure.

3. Respondents No.2 is represented by his counsel and does not dispute the factum of compromise.

4. In view of the report of the Judicial Magistrate 1st 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 himself compromised the dispute with the petitioner/accused.

5. In the circumstances, the present petition is allowed. F.I.R No.120, dated 2nd August, 2017, under Sections 279/337 of the Indian Penal Code and Section 177 of the Motor Vehicles Act, registered at Police Station IT Park, Chandigarh (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioner.

December 22, 2017

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No