

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-45894 of 2016

.....

Date of decision:15.2.2017

Rahul Chopra

.....Petitioner

v.

State (U.T., Chandigarh) and another

.....Respondents

.....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Ankit Aggarwal, Advocate for Mr. Surya Prakash, Advocate
for the petitioner.

None for the respondents.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.144 dated 22.8.2016 (Annexure-P.1) registered for the offences under Sections 332, 353 and 506 IPC at Police Station Sector 11, Chandigarh and all subsequent proceedings arising therefrom in view of the compromise (Annexure-P.2).

The FIR has been registered on the statement of complainant- Dr. D. Prasanna Kumar on the allegations that the accused-petitioner allegedly assaulted him, who was attending the patient Sunil Chopra, father of the petitioner, who had died in the course of treatment. Now with the

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intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before learned trial Court for getting their statements recorded in support of the compromise. After doing the needful, learned Judicial Magistrate Ist Class, Chandigarh, has sent his report dated 27.1.2017 submitting that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

No one has put in appearance on behalf of the respondents.

I have heard learned counsel for the petitioner and have gone through the record.

In a decision, based on compromise, none of the parties is a loser. Rather, compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Therefore, keeping in view the fact that the matter has been amicably settled and in view of the law laid by the Hon'ble Supreme Court in Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543, this petition is allowed and FIR No.144 dated 22.8.2016 (Annexure-P.1)

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registered for the offences under Sections 332, 353 and 506 IPC at Police Station Sector 11, Chandigarh and all subsequent proceedings arising out of the same are hereby quashed qua the petitioner.

February 15, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No