IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-5171 of 2017
Decided on: 21.04.2017

Ashish Kumar Kataria @ Aashis Arora

....Petitioner

Versus

Union Territory, Chandigarh and others

....Respondents

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. Damandeep Singh, Advocate for the petitioner.

Mr. J.S. Toor, APP, U.T., Chandigarh.

None for respondents No.2 and 3.

REKHA MITTAL, J. (Oral)

The petitioner has prayed for quashing of FIR No.7 dated 17.01.2017, for offence under Sections 363 and 507 of the Indian Penal Code (in short 'IPC') registered in Police Station Sector 3, Chandigarh on the basis of compromise dated 13.02.2017 (Annexure P2) effected between the parties.

The parties were directed to appear before the Illaqa Magistrate on 10.03.2017 to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Judicial Magistrate Ist Class, Chandigarh, wherein it has been reported that statements of the petitioner and the respondents have been recorded and statements made by the parties in the Court reveal that they have voluntarily entered into a compromise with an intention to live in peace and harmony.

Counsel for the State has not disputed that the parties i.e.

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petitioner and respondents have arrived at a settlement with an intent to give burial to their differences.

I have heard counsel for the parties and perused the case file.

Perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 of the Code. Keeping in view authoritative enunciation of law laid down by Hon'ble the Supreme Court of India in ***"Gian Singh vs State of Punjab and another",*** **2012(4) R.C.R. (Criminal) 543** and in the light of facts and circumstances of the present case, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that criminal proceedings are put to an end.

In view of what has been discussed hereinabove, the petition is allowed and FIR No.7 dated 17.01.2017, for offence under Sections 363 and 507 IPC registered in Police Station Sector 3, Chandigarh and proceedings emanating therefrom are ordered to be quashed, *qua* the petitioner.

21.04.2017 **(REKHA MITTAL)**
yakub **JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable: Yes/No

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