

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

(1)

Crl. Misc. No. M-14403 of 2017(O&M)
Date of decision: August 20, 2018

Dishant Bhatia

..... PETITIONER(s)

Versus

U.T. Chandigarh and another

....RESPONDENT(s)

(2)

Crl. Misc. No.M-23284 of 2018 (O&M)

Abhishek and another

..... PETITIONER(s)

Versus

U.T. Chandigarh and another

....RESPONDENT(s)

(3)

Crl. Misc. No.M-24459 of 2018 (O&M)

Vishavjeet Kapoor

..... PETITIONER(s)

Versus

U.T. Chandigarh and another

....RESPONDENT(s)

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rohiteshwar Singh, Advocate
for the petitioner in CRM No.M-14403 of 2017.

Mr. Durga Dutt Sharma, Advocate
for the petitioners in CRM No. M-23284 of 2018 and
CRM No. M-24459 of 2018.

Mr. Gautam Dutt, APP, U.T. Chandigarh
for respondent No. 1.

Mr. Anshuman Narula, Advocate for
respondent No.2 in all the petitions.

SURINDER GUPTA, J(Oral)

The petitioners have filed these petitions under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No. 11 dated 07.01.2017 (Annexure P-1), registered for offences punishable under Sections 395, 323, 506, 34, 120 of Indian Penal Code (for short 'IPC') at Police Station Sector 34, Chandigarh along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

As per case of the prosecution, the occurrence took place on 06.01.2017, when the petitioners gave beatings to the complainant and also snatched his golden chain and ear rings.

Learned counsel for the petitioners submits that the matter has since been settled vide compromise, copy of which has been placed on file as Annexure P-2 in all the cases.

Learned counsel for complainant endorses the submission of learned counsel for the petitioners and has no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed compromise (Annexure P-2).

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 13.06.2018 in CRM No. M-14403 of 2017 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any pressure or influence.

Keeping all the above facts in view, I am of the considered opinion that these are fit cases in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The

quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, these petitions are allowed and FIR No. 11 dated 07.01.2017 registered at Police Station Sector 34, Chandigarh (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

August 20, 2018
Jyoti-II

(SURINDER GUPTA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>