GAURAV SOROT
2018.08.06 10:25

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-26233-2017
Date of decision:03.08.2018

Satpal and others

.....Petitioners

Versus

Union Territory of Chandigarh and others

.....Respondents

****

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

****

Present: Mr. Saurabh Sharma, Advocate
for the petitioners.

Mr. Gautam Kaile, Advocate for
Mr. Rajiv Sharma, APP, U.T. Chandigarh.

****

GURVINDER SINGH GILL, J. (ORAL)

The petitioners seek quashing of FIR No. 92 dated 24.03.2012 under Sections 420, 471, 120-B of Indian Penal Code, 1860, Police Station Sector 11, Chandigarh and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Mr. Hitesh Ghai, Advocate has put in appearance on behalf of respondents No.2 & 3 and has filed power of attorney, which is taken

on record.

Vide order dated 24.07.2017 the parties had been directed to appear before the trial Court/Illaqa Magistrate so as to get the statements recorded with regard to the genuineness of the compromise.

Report of learned Judicial Magistrate Ist Class, Chandigarh to the effect that statement of complainant-Jai Singh and also of Vikara @ Bikadar Devi apart from statements of accused Satpal, Mukesh, Naresh and Narsi Ram have been recorded to the effect that matter has since been compromised among them and that the amount in question has been returned to the complainants as per the compromise and that the complainants have no objection in case the FIR is quashed. It has specifically been opined by learned Judicial Magistrate Ist Class, Chandigarh that the compromise is genuine and has been effected voluntarily without there being any undue influence or coercion.

In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in *2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab*, the petition is allowed and FIR No. 92 dated 24.03.2012 under Sections 420, 471, 120-B of Indian Penal Code, 1860, Police Station Sector 11, Chandigarh and all the consequent proceedings arising therefrom are hereby quashed.

(GURVINDER SINGH GILL)
JUDGE

03.08.2018
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No