

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-38103-2017

Date of decision : 19.01.2018

Parveen Goel

... Petitioner

Versus

UT Chandigarh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Rajiv Mittal, Advocate
for the petitioner.

AMOL RATTAN SINGH, J.(ORAL)

By this petition, FIR No.633 dated 29.10.2013, registered against the petitioner at Police Station Sector 34, Chandigarh, for the alleged commission of offences punishable under Sections 454 (1st part), of the IPC, is sought to be quashed on the basis of a compromise arrived at between the petitioner (accused) and respondent no. 2, i.e. the complainant.

Vide an order of this Court dated 10.10.2017, the parties were directed to appear before the learned Illaqa Magistrate/trial Court to get their statements recorded, in terms of the compromise.

Pursuant to the aforesaid order, the report of the learned Judicial Magistrate Ist Class, Chandigarh, has been received, stating therein that the complainant, Rodney Valentine (respondent no.2), made a statement to the effect that he has voluntarily entered into a compromise with the petitioner, i.e. accused Parveen Goel, and that he has no objection if the FIR in question is quashed.

compromise has been arrived at without any coercion, undue influence or any pressure. The statement of the petitioner was also recorded.

Consequently, looking at the nature of the offence in which the petitioner is alleged to have trespassed into the house of the complainant, with learned counsel submitting that there was actually a dispute between tenant and landlord, and it having been amicably settled, in the opinion of this Court, it would be pointless to continue with criminal proceedings, the parties having fully compromised the matter of their own free will.

Consequently, the petition is allowed and FIR No.633 dated 29.10.2013, registered against the petitioner at Police Station Sector 34, District Chandigarh, for the alleged commission of an offence punishable under Sections 454 (1st part), of the IPC, along with all proceedings emanating therefrom, is hereby quashed.

(AMOL RATTAN SINGH)
JUDGE

January 19, 2018.

Davinder Kumar/dinesh

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No