

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41430-2016

Date of Decision:- 15.10.2018

Karan Tomar and another

... Petitioners

Versus

Union Territory, Chandigarh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gurinder Singh Attariwala, Advocate, for the petitioners.

Mr. Amit Kumar Goyal, APP, for U.T., Chandigarh.

Mr. J.P. Rana, Advocate for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

The present petition has been filed for quashing of FIR No. 148 dated 02.05.2015 under Sections 406, 420 IPC, Police Station Central Sector-17, Chandigarh and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 16.05.2018 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded.

Report of learned Judicial Magistrate Ist Class, Chandigarh has been received to the effect that statement of complainant Pawan Kumar and also of petitioners/accused Karan Tomar and Kusum Tanwar have been recorded to the effect that they have entered into a compromise.

The complainant has specifically stated that he does not wish to pursue the

case further. The learned Judicial Magistrate Ist Class, Chandigarh has specifically opined that the parties have entered into the compromise voluntarily, without there being any threat or coercion.

In view of the aforesaid report 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.148 dated 02.05.2015 under Sections 406, 420 IPC, Police Station Central Sector-17, Chandigarh and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

October 15, 2018

jt

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No