

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-7694-2016

Date of decision: January 10, 2018

Sujay Raina

.... Petitioner

Versus

UT of Chandigarh and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Kulbhushan Sai, Advocate for
Mr. Anil Bansal, Advocate
for the petitioner.

Mr. Parveen Chauhan, Advocate for
Mr. Gagandeep S. Wasu, APP, UT Chandigarh
for respondent No.1.

Ms. Navjot Kaur, Advocate for
Mr. Vishal Gupta, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.506 dated 19.09.2015, under Sections 279, 337 of Indian Penal Code, registered at Police Station Mani Majra (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 30.01.2016 (Annexure P-2).

This Court vide order dated 10.05.2016 had directed the parties to appear before the trial Court to get their statements recorded and the learned Court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Chandigarh and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 26.10.2016 to the effect that the parties have settled the dispute amicably without any undue influence or pressure.

Respondent No.2-complainant, namely, Rohit Kumar Sharma has made a statement with regard to compromise before learned Magistrate on 26.10.2016 which reads as under:-

“It is stated that I have compromised the matter with the accused Sujay Raina. Now the matter has been amicably settled and compromise has been effected. On the basis of compromise, the petition regarding quashing of FIR have been filed in the Hon'ble High Court. As per the directions of the Hon'ble High Court, I am recording my statement. I have no objection if the present case i.e. FIR No.506/2015, u/s 279, 337 of IPC to be quashed. I am making the statement with my own consent and without any pressure and coercion and understand the contents and nature of the statement which I have deposed before the Hon'ble Court.”

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R. and it will amount to abuse of the process of law.

Following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052** and approved by the Hon'ble Supreme Court in **Gian Singh Versus State of Punjab and others (2012) 10 SCC 303**, this petition is allowed and F.I.R. No.506 dated 19.09.2015,

under Sections 279, 337 of Indian Penal Code, registered at Police Station Mani Majra (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 30.01.2016 (Annexure P-2).

January 10, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No