

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-24914-2018 (O&M)
Date of Decision:-20.5.2019

Avtar Singh

... Petitioner

Versus

Union Territory, Chandigarh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mandeep Singh, Advocate for the petitioner.

Mr. Amit Kumar Goyal, Addl.P.P., U.T., Chandigarh.

Mr. Vikram Singh Vohra, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking quashing of FIR No.77 dated 25.5.1998 registered at Police Station Sector-11, Chandigarh under Sections 279, 337 and 338 of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 10.8.2018, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get their statements recorded qua the factum of compromise.

Report of learned Judicial Magistrate 1st Class, Chandigarh has been received, wherein it has been reported that statements of injured Sunit Kumar and also of the LRs of the complainant Balwan Singh @ Balwant

Singh have been have been recorded. Now Sunit Kumar as well as the aforesaid LRs namely Savitri widow of Late Balwan Singh @ Balwant Singh and Kanta Devi, mother of deceased Balwan Singh @ Balwant Singh have all categorically stated that they have compromised the matter with the accused and they have no objection in case the FIR is quashed.

The learned Judicial Magistrate 1st Class, Chandigarh has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.

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 present petition is allowed and FIR No.77 dated 25.5.1998 registered at Police Station Sector-11, Chandigarh under Sections 279, 337 and 338 of Indian Penal Code, 1860 and all the consequent proceedings arising therefrom are hereby quashed qua petitioner.

20.5.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking Yes / No

Whether reportable Yes / No