

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

CRM-M-50435-2018 (O&M)

Date of Decision:- 3.5.2019

Jagmahender alias Kala alias Mahender ... Petitioner

Versus

U.T. Chandigarh and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Bhrigu Agnihotri, Advocate for
Mr. Amardeep Hooda, Advocate,
for the petitioner.

Mr. Lalit K. Gupta, Addl. PP, U.T. Chandigarh.

GURVINDER SINGH GILL, J. (Oral)

1. The present petition has been filed for quashing of FIR No.83, dated 28.3.2018, registered at Police Station Industrial Area, Chandigarh, under Section 324 IPC, and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 16.11.2018 the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get the statements recorded.
3. Report of learned Judicial Magistrate 1st Class, Chandigarh, has been received wherein it has been reported that statement of complainant

Satish Kumar as well as of petitioner/accused Jagmahender alias Kala alias Mahender, have been recorded to the effect that they have entered into a compromise with the intervention of respectables. The complainant has specifically stated that the matter has been compromised and he does not want to pursue with the matter. Learned Judicial Magistrate 1st Class, Chandigarh, opined that the parties got recorded their statement out of their free consent.

4. 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.83, dated 28.3.2018, registered at Police Station Industrial Area, Chandigarh, under Section 324 IPC, and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

May 3, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No