

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

CRM-M-2024-2020

Decided on : 22.05.2020

Karanbir Singh

... Petitioner

Versus

Union Territory Chandigarh and another

... Respondents

CORAM : HON'BLE Mr. JUSTICE G.S.SANDHAWALIA

Present : Mr. Inderjeet Singh Chawla, Advocate
for the petitioner.

Mr. Anil Lamdharia, Advocate
for respondent No.1-U.T.

Mr. Monty Goel, Advocate for
Mr. Rupinder Singh, Advocate
for respondent No.2.

G.S.SANDHAWALIA, J. (Oral)

The present petition under Section 482 of the Code of Criminal Procedure, 1973, has been filed for quashing of FIR No. 0237 dated 19.11.2019, under Sections 279 and 337 of IPC registered at Police Station Sector-36, Chandigarh, and all other consequential proceedings arising therefrom against the petitioner, on the basis of compromise deed dated 10.01.2020 (Annexure P-2).

The matter has been taken up by way of Video Conferencing through Cisco Webex application in view of COVID-19 situation, as per instructions issued.

In pursuance of directions issued by this Court, while issuing notice of motion, the Judicial Magistrate Ist Class, Chandigarh has already recorded the statements of parties including that of respondent No.2, complainant Karan Sharma, who had suffered the injuries, who has stated that he has no objection if the said FIR/Challan is quashed.

The Trial Court taking into account account the statements made by the parties submitted its report dated 07.03.2020 that the compromise between the parties is genuine and had been effected

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voluntarily without any pressure, coercion or undue influence from any quarter and there is only one person arrayed as accused who is the petitioner and there is also only one complainant, the effective party, who is respondent No.2.

Counsel for the parties have stated that at that point of time Section 338 IPC was not added, but when challan was filed before the Court the said Section was also added.

Counsel for respondent No.2, has stated that he has no objection if the proceedings under the said section are also quashed alongwith Section 279 and 337 IPC, since the parties have entered into compromise and the injured was taken to the hospital in the vehicle of the petitioner, which would be clear from the FIR itself.

Resultantly, keeping in view the above facts and circumstances and compromise which has been entered between the parties and validated, as per the report received from the Judicial Magistrate Ist Class, it would be in the interest of justice if the proceedings are quashed, as no useful purpose will be served in prosecuting the petitioner. Accordingly, FIR No. 0237 dated 19.11.2019, under Sections 279 and 337 of IPC including proceedings under Section 338 IPC registered at Police Station Sector-36, Chandigarh and all subsequent proceedings are quashed.

MAY 22, 2020

Naveen

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No