

CRM-M-38677-2019
Date of Decision: 03.03.2020

Rahul **... Petitioner**
vs.
State of UT Chandigarh and Anr **.. Respondents**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Vivek Sharma, Advocate
for the petitioner.

Mr. Lalit K. Gupta, Addl. P.P.
for U.T.Chandigarh.

Mr. Diwan S. Adlakha, Advocate
for respondent No.2.

VIVEK PURI, J.(ORAL)

Briefly, FIR bearing No. 119 dated 08.04.2019 under Sections 279 and 337 IPC has been registered at Police Station North, Chandigarh on the allegations that the petitioner was driving the car in a rash and negligent manner and struck with the scooter being driven by respondent No.2.

It has been stated that respondent No.2 had only suffered simple injury and the matter in dispute has been amicably settled and respondent No.2 has already received the amount from the petitioner on account of expenses incurred by her during her treatment.

On 11.09.2019, notice of motion was issued and parties were directed to appear before the Illaqa Magistrate for getting their statements recorded with regard to the compromise arrived at between them.

Pursuant to above-said order dated 11.09.2019, report has been received from the Chief Judicial Magistrate, Chandigarh and as per the same, the compromise has been amicably effected between the parties without any fear or undue influence and the same has been stated to be

genuine one. It has also been reported that there is no other accused, complainant or aggrieved party in the present case and no other case is pending against the petitioner or complainant. It has further been mentioned in the report that the accused has not been declared as proclaimed offender and is not previous convict.

In view of said circumstances and following the Full Bench judgment of this Court in ***Kulwinder Singh and others Vs. State of Punjab and others 2007(3) R.C.R. (Criminal) 1052***, the present petition is allowed. FIR bearing No. 119 dated 08.04.2019 under Sections 279 and 337 IPC registered at Police Station North, Chandigarh and all the subsequent proceedings having arisen therefrom are hereby quashed qua the petitioner.

(VIVEK PURI)
JUDGE

03.03.2020

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Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No