

CRM-M-44492-2019

Date of decision: 05.03.2020

Dinesh Midha

... Petitioner

vs.

Unoin Territory Chandigarh and Another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Sidhant Vermani, Advocate for
Mr. Parteek Sodhi, Advocate
for the petitioner.

Ms. Ashima Mor, Additional. P.P. for
U.T.Chandigarh.

Mr. Gagandeep Jammu, Advocate for
Mr. Umesh Aggarwal, Advocate
for respondent No.2.

VIVEK PURI, J. (ORAL)

Petitioners have approached this Court by way of instant petition under Section 482 Cr.P.C. invoking its inherent jurisdiction for quashing of FIR No. 62 dated 14.03.2019, under Sections 420 and 120-B IPC, registered at Police Station Sector 39, Chandigarh and all the consequential proceedings arising therefrom, on the basis of compromise.

Precisely, the allegations against the petitioner are with regard to misuse of bank account pertaining to respondent No.2. He is brother-in-law of respondent No.2 and having matrimonial dispute with his wife i.e. sister of respondent No.2 and the said dispute is also stated to have been settled.

On 18.10.2019, notice of motion was issued and parties were directed to appear before the Illaqa Magistrate/trial Court for getting their statements recorded with regard to the compromise arrived at between them.

Pursuant to above-said order dated 18.10.2019, report has been received from Judicial Magistrate 1st Class, Chandigarh and as per the same, statements of the parties have been recorded and the compromise is valid and genuine and has been arrived at between the parties voluntarily, without any pressure or undue influence.

Learned counsel appearing on behalf of the parties admit that the parties have settled their dispute.

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 and FIR No. 62 dated 14.03.2019, under Sections 420 and 120-B IPC, registered at Police Station Sector 39, Chandigarh and all the consequential proceedings having arisen therefrom are hereby quashed qua the petitioner(s).

(VIVEK PURI)
JUDGE

05.03.2020.
smriti

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