

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

CRM-2099-2021 in/and
CRM-M-33326-2020
Date of Decision:-**28.1.2021**

Vikram Singh

... Petitioner

Versus

State of U.T. Chandigarh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Dr. Deepak Jindal, Advocate
for the petitioner.

Mr. J.S. Toor, APP, for respondent No.1.

Mr. Anand Rohilla, Advocate
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing on account of
COVID-19 Pandemic.

CRM-2099-2021

This application has been moved by the applicant/petitioner under Section 482 Cr.P.C. for placing on record certified copies of statements of respondent No.2/complainant and the petitioner (Annexure A-2) and order dated 25.11.2020 (Annexure A-3) passed by the Trial Court in compliance of order dated 16.10.2020 passed by this Court.

The State counsel and counsel for non-applicant/respondent No.2 have pleaded their no objection, in case aforesaid application is allowed.

In view of the no objection raised by the State counsel and counsel for respondent No.2 and otherwise also, it being official record, the aforesaid documents Annexure A-2 and Anneuxre A-3 are ordered to be taken on record.

The CRM stands disposed of accordingly.

CRM-M-33326-2020

This petition under Section 482 Cr.P.C. has been filed by the petitioner for quashing of FIR No.287 dated 24.9.2005 registered under Sections 452, 323, 506, 427, 34 IPC at Police Station Sector 11, Chandigarh and all consequential proceedings arising therefrom, on the basis of compromise dated 10.11.2019 (Annexure P-4), arrived at between the parties.

Vide order dated 16.10.2020, the parties were directed to appear before the Trial Court/Illaqa Magistrate, for getting their statements recorded. In compliance thereof, report of learned Judicial Magistrate Ist Class, Chandigarh dated 1.12.2020 has been received, wherein it has been noticed that as per the statements of the parties, compromise appears to be voluntary, without any threat, coercion or undue influence.

I have heard counsel for the parties.

As per the allegations in the FIR, the petitioner and his companion Jaivinder Singh Negi trespassed into Barista Coffee House, Sector 11, Chandigarh on the night intervening between 23/24.9.2005 and attacked the complainant and they also damaged the articles lying in the said coffee house.

Admittedly, Jaivinder Singh Negi was acquitted by the Trial Court vide its judgment dated 19.3.2012 (Annexure P-6). At that time, the petitioner was already declared proclaimed offender. Later on, the petitioner was granted bail on the basis of order passed by this Court.

From the perusal of aforesaid report dated 1.12.2020 submitted by the Court concerned, it is clear that genuine compromise has been effected between the petitioner and respondent No.2, who is complainant in this case. Even during arguments, the counsel for respondent No.2 has admitted the factum of compromise which has been effected between the parties.

In view of the aforestated position, this Court feels that no useful purpose would be served in keeping the proceedings alive. It will be in the interest of justice, if the settlement reached between the parties is accepted.

In the light of the aforesaid compromise and bearing in mind the law laid down by the Full Bench of this Court in Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052, the present petition is allowed and FIR No.287 dated 24.9.2005 registered under

Sections 452, 323, 506, 427, 34 IPC at Police Station Sector 11, Chandigarh
and all subsequent proceedings emanating therefrom are hereby quashed qua
the petitioner.

28.1.2021
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No