

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

109

**CRM-M-35262 of 2020
Date of Decision: 11.02.2021**

Rahul and others

..... Petitioners

Versus

The State of U.T. Chandigarh

..... Respondent

2)

CRM-M-35272 of 2020

Mange Ram and others

..... Petitioners

Versus

The State of U.T. Chandigarh

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Ms. Alka Chatrath, Advocate, for
Ms. Ekta Thakur, Advocate,
for the petitioners.

Mr. Anupam Bansal, Addl. Public Prosecutor
for the respondent-U.T. Chandigarh.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

Vide these two petitions, the petitioners seek quashing of FIR no.117, dated 09.05.2018 (in CRM-M-35262 of 2020) registered at Police Station Maloya, U. T. Chandigarh, alleging therein the commission of offences punishable under Sections 147, 148, 149, 323 and 506 of the IPC; and of FIR no.116, dated 09.05.2018 (in CRM-M-35272 of 2020) registered at the same police station, alleging therein the commission of offences punishable under Sections 147, 148, 149, 323, 452 and 506 of the IPC, with petitioner no.1 in CRM-M-35272 of 2020

being the complainant in the FIR as is subject matter of CRM-M-35262 of 2020.

Petitioner no.5, Dharampal, in CRM-M-35262 of 2020 is the complainant in FIR no.116 of 2018 (subject matter of CRM-M-35272 of 2020).

Pursuant to the order passed by this court in both these petitions on 02.11.2020, the report of the learned JMIC, Chandigarh, dated 27.11.2020, is on record and in fact on 04.02.2021 the following order had been recorded by this court:-

“By this petition, the petitioner seeks the quashing of FIR no.117, dated 09.05.2018, registered at Police Station Maloya, UT, Chandigarh, alleging therein the commission of offences punishable under Sections 147, 148, 149, 323 and 506 of the IPC along with all consequential proceedings arising therefrom, on the basis of a compromise reached between the parties.

Pursuant to the order of this court dated 02.11.2020, the report of the learned JMIC, Chandigarh, dated 26.11.2020, is on record, stating therein that the complainant appeared before that court on 18.11.2020 and submitted that he has amicably settled the dispute with the accused, i.e. the 7 petitioners herein, with the petitioners also having suffered a similar statement before that court.

The investigating officer in the matter is also stated to have suffered a statement to the effect that none of the accused had been declared to be a proclaimed offender and that as per the assessment of that court, the compromise arrived at between the parties is wholly voluntary.

However, since the Bar is abstaining from work today and even counsel for the complainant is not present to re-affirm the aforesaid before this court, adjourned to 11.02.2021.

To be shown in the urgent motion list.

A copy of this order be placed on the file of the other connected matter too.”

Today, Ms. Alka Chatrath, Advocate, appears for Ms. Ekta Thakur,

counsel for the petitioners in both the petitions, and submits that the parties to the dispute, i.e. the petitioners in each of these petitions, re-affirm that they have settled the matter by way of a compromise with each other and therefore have no objection to both the FIRs being quashed on the basis thereof.

Learned Additional Public Prosecutor, U.T. Chandigarh, also, on instructions from ASI Mohinder Singh, does not object to the same, looking at the nature of the offences alleged to have been committed and the fact that the parties have amicably settled the dispute to each other, thereby obviously leading to (hopefully) peace and harmony in the community.

In view of the above, that being also the opinion of this court, I would see no purpose in continuing the criminal proceedings pursuant to the two FIRs registered.

Consequently, both the petitions are allowed and FIR No.116, dated 09.05.2018, registered at Police Station Maloya, U.T. Chandigarh, for the alleged commission of offences punishable under Sections 147, 148, 149, 323, 452 and 506 of the IPC, as also FIR No.117, dated 09.05.2018, registered at Police Station Maloya, U.T. Chandigarh, for the alleged commission of offences punishable under Sections 147, 148, 149, 323 and 506 of the IPC, along with all proceedings emanating therefrom, are hereby quashed.

A photocopy of this order be also placed on the file of the other connected case.

February 11, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No