

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

Sr. No.115

CRM-M-46099-2019

Date of decision: 26.11.2021

Neena Anand

....Petitioner

Versus

State of U.T., Chandigarh and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Pankaj Kundra, Advocate
for the applicant-petitioner.

Mr. Anupam Bansal, APP U.T., Chandigarh.

Mr. Raghav Dayal Gupta, Advocate
for respondents No.2 and 3.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.59 dated 21.04.2019 registered under Sections 279/337/338 IPC at Police Station Sector-19, Chandigarh and all subsequent proceedings arising out of it on the basis of the compromise dated 19.10.2019 (Annexure P-2).

On 30.10.2019 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 02.11.2019 for recording of their respective statements with regard to the compromise/settlement, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise, if any, between the parties as also to apprise this Court whether the accused were ever declared as proclaimed offenders and if is there any other case pending against them.

As directed, report dated 06.11.2019 from the Judicial Magistrate, Ist Class, Chandigarh has been received, as per which the parties had recorded their statements before the Trial Court in terms of the compromise arrived at between them; no other case is pending against the petitioner and also no proclamation proceedings are pending against him.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR in which the offences are not heinous and the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in Kulwinder Singh and others Vs. State of Punjab and others, 2007 (3) RCR (Criminal), 1052, this Court deems it just and proper to allow the petition and resultantly quash the FIR No.59 dated 21.04.2019 registered under Sections 279/337/338 IPC at Police Station Sector-19, Chandigarh and all proceedings arising therefrom, qua the petitioner.

November 26, 2021
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No