

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

CRM-M-3097-2020

DECIDED ON: MARCH 31st, 2022

ANIL DHAWAN

.....PETITIONER

VERSUS

STATE OF U.T., CHANDIGARH AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Amanpreet Singh, Advocate for
Mr. Dikshit Arora, Advocate
for the petitioner.

Mr. Sumit Jain, A.P.P., U.T., Chandigarh
for respondent No.1.

Mr. Ankit Chowdhri, Advocate
for respondent No.2/complainant.

SANDEEP MOUDGIL, J (ORAL)

In this petition, the petitioner, who is the accused person in F.I.R No.114, dated 07.05.2019, under Sections 338 and added 287 of the Indian Penal Code, 1860, registered at Police Station Industrial Area, Chandigarh (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings arising therefrom, on the basis of compromise.

2. Now the complainant has arrived at a settlement with the accused vide Compromise Deed (Annexure P-2), which is duly signed by him. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at

between the parties. The Ld. Addl. Chief Judicial Magistrate, Chandigarh,

vide report dated 25.02.2020 has apprised this Court that the compromise arrived at between the parties is genuine, voluntarily and without any fear, pressure or undue influence. It is stated in the report that there is only one accused in the present FIR and has not declared proclaimed offender.

3. Respondent No.2 is represented by his counsel, who does not dispute the factum of compromise.

4. In view of the report of the Ld. Addl. Chief Judicial Magistrate, Chandigarh and in view of the decision of the Hon'ble Supreme Court in **“Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543** and **“Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466**, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioner.

5. In the circumstances, the present petition is allowed. F.I.R No.114, dated 07.05.2019, under Sections 338 and added 287 of the Indian Penal Code, 1860, registered at Police Station Industrial Area, Chandigarh (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioner.

(SANDEEP MOUDGIL)
JUDGE

MARCH 31st, 2022
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Whether speaking/reasoned Yes/No
Whether reportable Yes/No