

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

CRM-M-3481-2020 (O&M)

Date of Decision: 05.01.2022

Deepak Bains

...Petitioner

Versus

State of UT Chandigarh & others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Vipin Kumar, Advocate, for the petitioner.

Mr. Sumit Jain, APP, UT, Chandigarh.

Mr. Shadab Ahmad, Advocate, for respondents No.2 & 3.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking quashing of FIR No.0016 dated 19.01.2019 registered against him at Police Station Industrial Area, Chandigarh under Sections 279/337 IPC (Section 338 IPC added later on) and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 16.09.2021, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.
3. Report of learned Chief Judicial Magistrate, Chandigarh has been received, wherein it has been reported that the statements of accused/petitioner, namely, Deepak Bains as well as of

complainant Ashwani and injured Ashok Kumar have been recorded to the effect that they have compromised the matter amongst themselves.

4. The complainant Ashwani in his statement has stated that he has no objection in case the FIR in question is quashed.
5. The learned Chief Judicial Magistrate, Chandigarh has specifically opined that the compromise effected amongst the parties is genuine and effected without any fear, pressure or undue influence.
6. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.0016 dated 19.01.2019 registered at Police Station Industrial Area, Chandigarh under Sections 279/337 IPC (Section 338 IPC added later on) and all subsequent proceedings emanating therefrom are hereby quashed qua petitioner.

05.01.2022
Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**