

**(123+245) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-27778-2022 in/and
CRM-M-30479-2022**

Date of decision : 17.11.2022

RICKY CHHABRA

... Petitioners

Versus

U.T. AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rahul Bhargava, Advocate for the petitioner.

Mr. Ankur Bali, Addl. P.P., U.T., Chandigarh.

Mr. P. Thakur, Advocate for

Ms. Arti Karu, Advocate for respondent No.2.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this petition is for quashing of an FIR No.0097 dated 10.06.2022 (Annexure P-1) registered under Sections 420, 467, 468, 471, 120-B IPC at Police Station South, Sector-34, Chandigarh along with all consequential proceedings arising therefrom on the basis of a compromise arrived at between the parties.

Vide order dated 18.07.2022 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 11.07.2022 (P-2) and the Illaqa Magistrate/trial Court was to submit a report in this regard giving certain details as enumerated in the said order.

Pursuant to the order dated 18.07.2022 passed by this Court, the parties have appeared before the learned Judicial Magistrate, 1st

Class, Chandigarh and as per the report dated 14.11.2022 submitted to this Court, both the parties have got recorded their respective statements in Court.

A perusal of the aforesaid report would show that the parties have effected genuine compromise without there being any pressure, coercion or undue influence. In view of the compromise there is a remote possibility of the complainant coming forward to support the prosecution case. The powers under Section 482 Cr.PC can be exercised in such like situation in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused. The compromise in question is found to be fully in consonance with the direction issued by the Court in “*Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543*”.

Further, the learned counsel for the petitioner, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in *Jayrajsinh Digvijaysinh Rana Versus State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589* and this Court in *Joginder Singh & another Vs. State of Punjab and another, CRM-M-23739-2010 decided on 27.04.2011*, *Rajinder Singh Vs. State of Punjab & another, CRM-M-37395-2016 decided on 16.05.2017* and *Bhoj Raj Vs. State of Punjab & another, CRM-24945-2019 decided on 27.09.2019*, submits that partial quashing of the FIR was possible on the basis of a compromise.

Vide letter dated 27.06.2022, the Bank has accepted that the account of Mrs. Nenu Midha, House No.577, Sector-2, Panchkula, Haryana-134109 stands closed under a Compromise Settlement /OTS on 20.06.2022 for total amount of Rs.75.00 lakhs. The copy of the settlement letter is taken on record as '**Mark A**'.

Keeping in view the law laid down by this Court in the aforementioned judgments and the report of the learned Judicial Magistrate, 1st Class, Chandigarh the FIR No.0097 dated 10.06.2022 (Annexure P-1) registered under Sections 420, 467, 468, 471, 120-B IPC at Police Station South, Sector-34, Chandigarh along with all the consequential proceedings arising therefrom, are hereby quashed qua the petitioner only.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

17.11.2022
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No