

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

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CRM-M-35160-2022

Date of decision : 14.12.2022

Rahul Arya

..... Petitioner

V/S

UT Chandigarh and another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. J.S.Saneta, Advocate
for the petitioner.

Mr. Vasundhara Dalal Anand, APP, UT, Chandigarh.

Mr. K.S.Dhanora, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioner-Rahul Arya has filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0107 dated 05.07.2022, registered under Sections 354-A, 354-D of IPC at Police Sector 39, Chandigarh and all other subsequent proceedings on the basis of compromise between the parties (Annexure P-2) .

The brief facts of the case are that complainant-Neha Bansal gave her statement to the police, that she was doing private job and residing in Room No.220, 3rd Floor, Village Palsora, UT Chandigarh, whereas Rahul Arya was also residing in Room No.207, 89, 3rd Floor in the same building. The wife of Rahul Arya left for her parents house about 10-15 days ago. He took her mobile number about 4-5 days ago and further called her that in case she require anything she

could call him. He started talking to her. She tried to avoid him, as he was a married man. He invited her to sleep in his room at night time with bad intention. He again called her at night time on 01.07.2022. She tried to avoid him. On 03.07.2022 at 8:30 PM , he again signaled to come to his room. On 04.07.2022 at about 9:30 PM, her friend Raj Kumar @ Kallu had visited her house and she told him the entire incident. Ultimately the matter was reported to the police and the FIR got registered.

The petitioner filed this petition for the quashing of aforesaid FIR on the basis of compromise. The petitioner and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. The detailed report regarding compromise has been received from the the court of Judicial Magistrate, 1st Class Chandigarh dated 09.11.2022. The statement of complaint- Neha Bansal has been recorded, where she confirmed the compromise with the petitioner. She confirmed that this compromise has been effected without any pressure, coercion from any side and she has no objection regarding quashing of FIR.

The petitioner-Rahul Arya also confirmed this fact in his separate statement. The statement of ASI Gurdev Singh is also recorded who further confirmed that the accused is neither involved in any other case nor has been declared as proclaimed offender.

Therefore, from the report of Judicial Magistrate, 1st Class, Chandigarh, it is clear that the compromise has been effected between the parties without any pressure, coercion or undue influence, which is acceptable to both the parties. Both the parties are residents of same

locality, it would enable them to live in peace and harmony. They have mutually settled all their disputes. No purpose would be served with the continuation of criminal proceedings.

Therefore considering these facts the petition filed by the petitioner is accepted and FIR No.0107 dated 05.07.2022, registered under Sections 354-A, 354-D of IPC at Police Sector 39, Chandigarh, and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands disposed of.

(AMARJOT BHATTI)
JUDGE

14.12.2022
Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No