

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

203

**CRM-M-37800-2019
Date of decision: 03.03.2022**

Kamaldeep Singh Mann and anotherPetitioners

Versus

U.T. Chandigarh and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Jatinderpal Singh, Advocate
for the petitioners.

Mr. Amit Kumar Goyal, Addl. Public Prosecutor
for respondent No.1-U.T., Chandigarh.

Mr. Indresh Goel, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.366 dated 07.12.2017 lodged under Sections 323, 353, 380, 354 and 427 IPC registered at Police Station Sector-31, Chandigarh and the consequential proceedings arising out of the same including the challan filed under Sections 353 and 380 IPC, on the basis of compromise dated 08.08.2019 (Annexure P-4) arrived at, between the parties.

Learned counsel for the petitioners *inter alia* contends that it was on account of a trivial dispute between the parties that the FIR in question came to be registered, however, subsequently with the intervention of the well wishers and respectables, the matter was amicably settled vide compromise dated 08.08.2019 (Annexure P-4). He submits that in the circumstances, continuation of the criminal proceedings would be a futile exercise.

Learned counsel appearing for respondent No.2 does not

dispute the submissions made by counsel opposite and also does not oppose the quashing of the FIR in question and all consequent proceedings arising therefrom, on the basis of compromise.

Vide order dated 22.01.2020 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 20.02.2020 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, Ist Class, Chandigarh, in pursuance to the direction of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made a statement to the effect that he would have no objection if the FIR *qua* the accused-petitioners is quashed.

The trial Court has annexed copies of the statements of the parties alongwith its report.

Learned State counsel too submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned Judicial Magistrate, Ist Class, Chandigarh and the principles laid down by the Apex Court in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***, and also by the Full Bench of this Court in ***Narinder Singh and others Vs. State of Punjab and another, 2014(2) RCR (Criminal) 482***, the instant petition is allowed. The aforesaid FIR and all consequential

proceedings arising out of it, are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

03.03.2022

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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