

Ajay Kumar

---Petitioner

versus

Union Territory of Chandigarh and Another

---Respondents

Coram: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr.Rana Gurtej Singh, Advocate
for the petitioner

Mr.Akashdeep Singh, APP, U.T., Chandigarh

JAGMOHAN BANSAL, J. (ORAL)

The petitioner through instant petition is seeking quashing of FIR No.29 dated 11.02.2022 (Annexure P-1) under Sections 420 and 120-B of Indian Penal Code registered at Police Station Sector 17, Chandigarh, and all consequential proceedings arising therefrom.

Learned counsel for the petitioner *inter alia* contends that allegation against petitioner is that he had sold a SIM to Puneet Aggarwal who was main accused in the FIR. The petitioner was not named in the FIR. The complainant has compromised the matter with main accused Puneet Aggarwal and his accomplice Rajesh Kumar. This court, vide order dated 31.05.2022, in CRM-M-8801 of 2022 has already quashed the FIR qua the petitioners therein i.e. Puneet Aggarwal and Rajesh Kumar. The petitioner has not committed an offence punishable under Section 420 IPC, thus, continuation of proceedings against petitioner would be travesty of justice.

Notice of motion.

Mr. Akashdeep Singh, APP, U.T., Chandigarh accepts notice on behalf of respondent No.1-State and submits that in view of compromise arrived between the main accused and the complainant as well order dated 31.05.2022

(Annexure P-5) passed by this Court in CRM-M-8801 of 2022, whereby FIR qua the main accused has already been quashed, the State has no objection to the prayer made by the petitioner in the present petition.

Keeping in mind:

- (i) the name of the petitioner was not mentioned in FIR No.29 dated 11.02.2022;
- (ii) Puneet Aggarwal and Rajesh Kumar, main accused, have compromised the matter with the complainant and this Court in view of the compromise arrived at between the parties has already quashed FIR No.29 dated 11.02.2022 qua Puneet Aggarwal and Rajesh Kumar;
- (iii) fair statement of learned counsel for U.T.-Chandigarh;

this Court finds that no useful purpose would be served, if the proceedings continue qua the petitioner and it would be in the fitness of things and interest of justice if proceedings are quashed. The present petition deserves to be allowed and accordingly allowed. FIR No.29 dated 11.02.2022 under Section 420 and 120-B IPC, registered at Police Station Sector 17, Chandigarh and all consequential proceedings arising therefrom are quashed, qua the petitioner.

(JAGMOHAN BANSAL)
JUDGE

23.11.2022
paramjit

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