

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

(Sr. No. 258)

CRM-M No. 55101 of 2019

Date of decision : 27.04.2022

Rakesh and others

.....Petitioners

Versus

State of U.T. Chandigarh and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Mohit Garg, Advocate for the petitioners.

Mr. Anupam Bansal, Addl. P.P., U.T. Chandigarh.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.300 dated 14.12.2016 registered under Sections 147, 148, 149, 323, 354-D, 356, 379, 427, 452 and 506 IPC at Police Station Industrial Area, Chandigarh on the basis of a written compromise Annexure P-2.

On 20.12.2019, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 31.01.2020 for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise between the parties as also to apprise this Court whether P.O. proceedings are pending against any of the accused.

As directed, report dated 03.02.2020 from the Additional Sessions Judge, Chandigarh has been received, as per which the parties

had recorded their statements before the Trial Court in terms of the compromise arrived at between them and that no proclamation proceedings are pending against the petitioners.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR, in which the offences are not heinous and the matter is having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in ***Kulwinder Singh and others Vs. State of Punjab and others, 2007 (3) RCR (Criminal) 1052***, this Court deems it just and proper to allow the petition and resultantly quash FIR No.300 dated 14.12.2016 registered under Sections 147, 148, 149, 323, 354-D, 356, 379, 427, 452 and 506 IPC at Police Station Industrial Area, Chandigarh and all proceedings arising therefrom qua the petitioners.

27.04.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No