

**CRM-3381-2023 in/and
CRM-M-844-2020 (O&M)**

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

(126+263)

**CRM-3381-2023 in/and
CRM-M-844-2020 (O&M)**

Date of Decision:-January 25, 2023

Inderjeet Singh and others

.....Petitioners

Versus

State of U.T. Chandigarh and Another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Polast Dev Sharma, Advocate for the petitioners.

Mr. Anupam Bansal, Addl. P.P., UT Chandigarh.

Mr. Munish Dev Sharma, Advocate for respondent No.2.

ALOK JAIN, J. (Oral)

CRM-3381-2023

This is an application for placing on record FIR No.377 dated 18.09.2018 Sections 420, 467, 471, 473, 474 of IPC, registered at Police Station 39, Chandigarh and order dated 14.12.2019 in CS/CJ/2765/2018 as Annexures P-6 and P-7.

For the reasons stated in the application, the same is allowed.

Annexures P-6 and P-7 are taken on record.

CRM-M-844-2020

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 378 dated 18.09.2018, registered under Section 354 and 354-A of Indian Penal Code at Police Station Sector-39,

**CRM-3381-2023 in/and
CRM-M-844-2020 (O&M)**

Chandigarh (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2).

Keeping in view the fact that the parties entered into a compromise, this Court vide order dated 10.01.2020 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 17.02.2020 has been received from the Judicial Magistrate 1st Class, Chandigarh, stating that the compromise arrived at between the parties is voluntary and the same is without any pressure, coercion or undue influence.

Learned State counsel and learned counsel appearing on behalf of respondent No.2-complainant admit the factum of compromise and submit that they have no objection to quashing of the FIR on that basis.

Perusal of the aforesaid report establishes that the parties have amicably settled their dispute, and continuance of criminal prosecution in such a situation will be an exercise in futility, as the chances of ultimate conviction are bleak. The power under Section 482 Cr.P.C. can be exercised in such matters. It has been held by Supreme Court of India in cases *Gian Singh v. State of Punjab and another* 2012(10) SCC 303 and *Narinder Singh and others v. State of Punjab and another* 2014(6) SCC 406 that criminal cases having overwhelmingly civil character, particularly those arising out of commercial transactions or matrimonial relationships or family disputes, should be quashed when the parties have resolved their disputes among themselves in a *bona fide* manner.

Consequently, this petition is allowed. FIR No. 378 dated 18.09.2018, registered under Section 354 and 354-A of Indian Penal Code

**CRM-3381-2023 in/and
CRM-M-844-2020 (O&M)**

at Police Station Sector-39, Chandigarh (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed *qua* the petitioners, subject to payment of cost of ₹ 5,000/- each to be deposited by the petitioners as well as respondent No.2 within two months from today in the following account:-

**Account Name – Punjab and Haryana High Court Bar
Association Lawyer’s Family Welfare Fund.**

Account No. - 41564846387

Bank Name – SBI High Court Branch.

Pending application shall also stand disposed of.

**(ALOK JAIN)
JUDGE**

January 25, 2023
Parul

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