

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

263

CRM-M-6201-2022

Date of decision: 01.08.2023

Yogeshwar Sharma

.....Petitioner

Versus

Union Territory, Chandigarh and another

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. J.K. Khetarpal, Advocate  
for the petitioner.

Ms. Vasundhra Dalal, APP, U.T., Chandigarh.

Mr. T.P.S. Bajwa, Advocate  
for respondent No.2.

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**MANJARI NEHRU KAUL, J. (ORAL)**

1. The instant petition is for quashing of FIR No.0090 dated 13.06.2020 under Sections 420 of the Indian Penal Code, 1860 registered at Police Station West Sector 11, Chandigarh and all consequential proceedings arising out of the same, on the basis of compromise dated 13.01.2022 (Annexure P-3) arrived at, between the parties.

2. Vide order dated 14.02.2022 of Coordinate Bench of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 27.04.2022 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, Chandigarh, in pursuance of the directions 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 statement to the effect that she would have no objection if the FIR *qua* the accused-petitioner is quashed.

4. The Trial Court has annexed photocopies of statements of the parties alongwith its report.

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

6. 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 *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

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

01.08.2023

Vinay

(MANJARI NEHRU KAUL)  
JUDGE

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