

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

CRM-M-8992-2023
Decided on : 28.04.2023

Prem Thapa

..... Petitioner

Versus

UT, Chandigarh & another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rajat Verma, Advocate for
Mr. Sandeep Singh, Advocate
for the petitioner.

Mr. Anil Kumar Lamdharia, Addl. PP, UT, Chandigarh.

Mr. Rashaan Ahuja, Advocate
for respondent No.2.

Manjari Nehru Kaul, J.

1. The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.411 dated 21.11.2018 under Sections 419, 420, 465, 467, 468, 471 IPC registered at Police Station Sector 34, Chandigarh and all the subsequent proceedings arising out of the same, on the basis of compromise (Annexure P-2) arrived at, between the parties.

2. Vide order dated 28.03.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 29.03.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report dated 10.04.2023 has since been received from the learned JMIC, Chandigarh in pursuance of the direction of this Court. 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. The trial Court has annexed the photocopy of the statements of the parties alongwith its report.

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

5. In view of the report of the learned JMIC, 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 qua the petitioner.

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

(MANJARI NEHRU KAUL)
JUDGE

28.04.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No