

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

CRM-M No.8890 of 2020
Date of decision: 16th January, 2023

Akshay @ Noni

... Petitioner

Versus

State of UT Chandigarh & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Nitish K. Vasudeva, Advocate for the petitioner.

Mr. Amit K. Goyal, APP UT Chandigarh
for respondent No.1/UT.

None for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

Instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.105 dated 20.04.2019 (Annexure P-1) under Sections 392, 411, 506 IPC registered at Police Station Sector 39, Chandigarh along with all consequential proceedings arising therefrom on the basis of compromise dated 21.05.2019 (Annexure P-2) effected between the parties.

Vide order dated 04.03.2020 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 23.03.2020 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, 1st Class, Chandigarh, in pursuance to the direction 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.

The trial Court has annexed the copy of statements of the parties, alongwith its report.

Learned State counsel too 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.

In view of the report of the learned Judicial Magistrate, 1st 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 v. 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.

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

January 16, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No