

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

283

2023:PHHC:088736

CRM-M-17349-2023

Date of decision: July 17th, 2023

Yash Goyal

.....Petitioner

Versus

State of U.T., Chandigarh and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. N.S. Gill, Advocate
for Mr. Munish Gupta, Advocate
for the petitioner.

Mr. Rajiv Vij, Additional Public Prosecutor, U.T. Chandigarh.

Mr. P.B. Vasudeva, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.137 dated 23.06.2019 lodged under Sections 279 of the Indian Penal Code, 1860 at Police Station Sector 26, Chandigarh along with all consequential proceedings arising out therefrom on the basis of compromise dated 23.02.2023 (Annexure P-2) arrived at, between the parties.

Vide order dated 12.04.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 12.05.2023 to get their statements recorded regarding the compromise arrived at between them.

Report has since been received from learned Additional Chief Judicial Magistrate, 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-petitioners is quashed.

The trial Court has annexed the copies of statements of the parties along with its report.

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

In view of the report of the learned Additional Chief Judicial Magistrate, 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.

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

July 17th, 2023

Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No