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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-26230-2023 (O&M)

Date of decision: 04.09.2023

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...Petitioner

VS

State of UT, Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.Brighu Agnihotri, Advocate for
Mr. Raman Singla, Advocate,
for the petitioner.

Mr. Sidakmeet Singh Sandhu, Add. P.P., UT, Chandigarh.

Mr.Sukhdeep Singh, Advocate for
Mr. Kartik Walia, Advocate,
for respondents no.2 and 3.

ARUN MONGA, J. (ORAL)

Petitioner seeks quashing of FIR No.001 dated 01.01.2023 (Annexure P-1) registered under Sections 279 and 337 of IPC (with Section 338 IPC added later), at Police Station Sector-34, Chandigarh, and all subsequent proceedings arising therefrom, on the basis of compromise dated 12.05.2023 (Annexures P-2).

2. Since quashing was sought on the basis of compromise, this Court vide order dated 22.05.2023 had directed the parties to appear before the *Illaq*a Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 21.07.2023 of learned Judicial Magistrate Ist Class, Chandigarh, had been received. Report reveals that statements of complainant party i.e. respondents No.2 and 3 as also of accused/present petitioner herein, were duly recorded. It is opined that a compromise has been arrived at without any pressure, undue influence or coercion. The report is accompanied by the statements of parties. It is apparent that the complainant/respondents No.2 and 3 and accused/petitioner have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel for complainant/respondents No.2 and 3 states that he would have no objection to the quashing of FIR in question.

5. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a decision dated 29.09.2021 of the Supreme Court in case titled “*Ramgopal and anr. V. The State of Madhya Pradesh*”¹ and a Full Bench decision of this Court in “*Kulwinder Singh and others V. State of Punjab and others*”².

6. In the premise it is an appropriate case for exercise of power under Section 482 Cr.P.C. and to bring to an end the criminal proceedings initiated in the light of impugned FIR.

7. Petition is thus allowed. of FIR No.001 dated 01.01.2023 (Annexure P-1) registered under Sections 279 and 337 of IPC (with Section 338 IPC added later), at Police Station Sector-34, Chandigarh and all proceedings emanating there from *qua* the petitioner stand quashed.

8. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

04.09.2023

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No

¹Criminal Appeal No.1489 of 2012

²2007 (3) RCR (Criminal) 1052