

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

CRM-M-34341 of 2021

Date of Decision:19.01.2023

Narinder Garg and others

.....Petitioners

Vs.

U.T. Chandigarh and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. J.S. Moudgill, Advocate for the petitioners.
Mr. A.M. Punchhi, Public Prosecutor for UT,
Chandigarh.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.17 dated 16.01.2019 registered under Sections 420 and 120-B IPC at Police Station Sector 31, UT, Chandigarh and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 31.08.2021 and then on 29.10.2021 had directed the parties to appear before the trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Chandigarh and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report 11.10.2021 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

However, quashing is opposed by learned State Counsel by pointing towards the magnitude of fraud committed by the petitioner- accused who issued as many as 25 cheques of an account which had already been frozen by the competent authority.

Considering the fact that the matter has already been compromised between the petitioner and complainant of the case, continuation of the FIR and the subsequent proceedings shall be futile exercise. However, having regard to the conduct of the petitioner, this quashing petition is allowed and F.I.R. No.17 dated 16.01.2019 registered under Sections 420 and 120-B IPC at Police Station Sector 31, UT, Chandigarh and all subsequent proceedings arising therefrom on the basis of compromise are quashed, subject to costs of ₹50,000/- which is to be deposited by the petitioner in UT State Legal Services Authority, Chandigarh, within a period of one month from the date of receipt of certified copy of this order. Copy be also sent to the Member Secretary, UT, State Legal Services Authority, Chandigarh.

January 19, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No