

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

CRM-M-35749-2020

Date of decision: 17.04.2023

Munish Chaudhary

....Petitioner.

Versus

U.T.Chandigarh and another

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Anshuman Narula, Advocate, for the petitioner.

Mr. Amit Kumar Goyal, APP., UT, Chandigarh.

Mr. Tarvinder Singh, Advocate,
for complainant-respondent No. 2.

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SANJIV BERRY, J.

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 0277 dated 10.12.2019 under Section 420 IPC, registered at Police Station, Sector 26, East, Chandigarh, and subsequent proceeding arising therefrom on the basis of compromise dated 29.09.2020 (Annexure P-2) and Affidavit of respondent No. 2(Annexure P-3).

2. Keeping in view the fact that the parties entered into a settlement, this Court vide order dated 12.11.2020 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 25.02.2021 has been received from Additional Chief Judicial Magistrate, Chandigarh, stating that the compromise arrived at between the parties is voluntary and the same is without any pressure, coercion or undue influence.

3. Learned State counsel and learned counsel appearing on behalf of respondent No.2-complainant admit the factum of compromise

and submit that they have no objection to quashing of the FIR on that basis.

4. In view of the report of the Additional Chief Judicial Magistrate, Chandigarh, and in view of the decision of the Hon'ble Supreme Court in "Gian Singh Vs. State of Punjab and another", 2012(4) RCR (Criminal) 543 and "Narinder Singh and Others Vs. State of Punjab and Another", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainants has himself compromised the dispute with the petitioners/ accused persons.

5. In the circumstances, the present petition is allowed. FIR No. 0277 dated 10.12.2019 under Section 420 IPC, registered at Police Station, Sector 26, East, Chandigarh, and subsequent proceeding arising therefrom on the basis of compromise dated 29.09.2020 (Annexure P-2) and Affidavit of respondent No. 2 (Annexure P-3) are hereby quashed qua the petitioner subject to cost of Rs.10,000/- to be paid by the petitioner within a period of one month from today. The cost shall be deposited in the following account: -

**Account Name-Punjab and Haryana High Court Bar
Association Lawyer's Family Welfare Fund
Account No. 41564846387
Bank Name-SBI High Court Branch.**

**(SANJIV BERRY)
JUDGE**

17.04.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |