

2023:PHHC:136133
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37464-2023 (O&M)
Date of Decision:18.10.2023

Saurabh Sharma

...Petitioner

vs.

UT Chandigarh and Anr.

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Vishal Mittal, Advocate
for the petitioner.

Mr. Sidakmeet Singh, Addl., PP, UT, Chandigarh.

Ms. Shivani, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

CRM-31838-2023

1. Application is allowed as prayed for, subject to just all exceptions.

Main case

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 172 dated 26.09.2022 under Section 420 of IPC registered at Police Station Industrial Area, Chandigarh (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 28.05.2023 (Annexure P-2).

2. Vide order dated 02.08.2023, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise/affidavit dated 28.05.2023 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the

Chief Judicial Magistrate, Chandigarh and got their statements recorded. Report dated 06.09.2023 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

4. I have heard counsel for the parties and gone through the case file.

5. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioner.

6. Resultantly, FIR No. 172 dated 26.09.2022 under Section 420 of IPC registered at Police Station Industrial Area, Chandigarh (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

18.10.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No