

CRM-M-53631-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-53631-2021

Date of decision :04.08.2023

RAJNEESH KHATTAR

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. ADS Sukhija, Advocate
for the petitioner(s).

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

Mr. Ajay Madan in person respondent No.2.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this petition is for quashing of an FIR No.47 dated 16.03.2020 (Annexure P-1) registered under Section 174-A, IPC, 1860 at Police Station Sadar Patiala, District Patiala along with all consequential proceedings arising therefrom as the matter stands amicably settled vide compromise dated 30.11.2013 (Annexure P-7) between the parties.

2. The learned counsel for the petitioner contends that initially an FIR No.51 dated 02.02.2007 came to be registered under Sections 406 and 34 IPC, 1860 at Police Station Sadar Patiala, District Patiala. The petitioner was declared a proclaimed offender. However, subsequently, a compromise came to be effected between the parties

because of which a quashing petition based on a compromise bearing CRM-53433-2021 was filed before this Court in which, the proceedings have been quashed on the basis of a compromise vide order of the even date. He contends that in view of the main FIR being quashed, no useful purpose would be served by allowing the instant proceedings to continue.

3. On the other hand, the learned State counsel contends that proceedings arising out of Section 174-A IPC were independent of the base FIR and therefore, the instant FIR ought not to be quashed. He, however, concedes that there is a compromise effected in the main case.

4. The complainant in person states that he has no objection, if the instant FIR is quashed as well.

5. I have heard the learned counsel for the parties.

6. Admittedly, vide order of the even date, FIR No.51 dated 02.02.2007 (Annexure P-1) under Sections 406 and 34 IPC, 1860 Police Station Sadar Patiala, District Patiala stands quashed on account of a compromise. As the present proceedings emanate out of the said FIR, no useful purpose would be served by allowing the instant proceedings to continue once the base FIR itself has been quashed.

7. In view of the above, FIR No.47 dated 16.03.2020 (Annexure P-1) registered under Section 174-A, IPC, 1860 at Police Station Sadar Patiala, District Patiala along with all consequential proceedings arising therefrom stand quashed subject to the petitioner depositing a sum of Rs.50,000/- as costs with the Chandi Kusht Ashram

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Society, Shiv Ram Mandir (Leprosy Colony), Sector 47, Opp. 3 BRD
Gate, Chandigarh.

8. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

04.08.2023
JITESH

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