

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

301

2023:PHHC:145565

CRM-M-51081-2023

Date of decision: November 16th, 2023

Ali Rahman

.....Petitioner

Versus

State of U.T. Chandigarh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Abhishek Singh, Advocate
for the petitioner.

Mr. Ankur Bali, Additional Public Prosecutor,
U.T. Chandigarh.

Mr. Salil Sabhlok, Advocate
for respondents No.2 to 8.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the instant petition is for quashing of FIR No.0057 dated 30.07.2023 under Sections 279, 337 of the IPC and Section 185 of the Motor Vehicles Act, 1954, registered at Police Station I.T. Park, Chandigarh, along with all consequential proceedings arising therefrom on the basis of compromise dated 02.09.2023 (Annexure P-2).

2. Vide order dated 09.10.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 11.10.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Additional Chief Judicial Magistrate, Chandigarh, in pursuance of the directions of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report

compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainants have also made statement to the effect that they would have no objection if the FIR *qua* the accused-petitioner is quashed.

4. The trial Court has annexed the copies of the statements of the parties, along with its report.

5. Learned State counsel too submits that there are no other accused other than the petitioner and privates respondents are the only aggrieved persons in the FIR in question.

6. In view of the report of the learned Additional Chief Judicial Magistrate, Chandigarh, and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

7. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

November 16th, 2023

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**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No