



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

118+237

CRM-M-17475-2024(O&M)
Date of Decision: 08.11.2024

AJAY AND OTHERS

....Petitioners

VERSUS

THE STATE OF UT CHANDIGARH AND OTHERS

....Respondents

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Devesh Sharma, Advocate for the petitioners.

Mr. P.S. Paul, Addl. P.P. U.T., Chandigarh.

Mr. Vishavjeet Singh Rishi, Advocate
for respondents no. 2 to 6.

MANISHA BATRA, J. (Oral)

CRM-44276-2024

The application has been filed by the applicants/petitioners for amending head note and prayer clause of the petition by adding offences under Sections 324, 325 and 326 IPC. It is submitted that due to some inadvertence, the aforementioned Sections could not be mentioned in the head note as well as in prayer clause of the petition. Learned counsel for respondents no.2 to 7 as well as learned State counsel have no objection, if the application is allowed. As such, the application is allowed and the amended head note and prayer clause are added in the petition. Be tagged at the appropriate place.

Main Case



The present petition has been filed under Section 482 of Code of Criminal Procedure for quashing of FIR No.0052 dated 29.05.2021 under Sections 147, 148, 149, 323, 506, 427 of IPC (Sections 324, 325, 326 of IPC added later on) registered at Police Station IT Park District Chandigarh and all the subsequent proceedings arising therefrom, on the basis of compromise dated 28.02.2024 (Annexure P-2).

2. This Court vide order dated 08.04.2024 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before the learned Additional Chief Judicial Magistrate, Chandigarh and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted reports dated 23.07.2024 & 24.09.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Learned State counsel as well as counsel for respondent No.2 to 6 have not disputed the factum of compromise between the parties.

5. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

6. Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by



the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and FIR No.0052 dated 29.05.2021 under Sections 147, 148, 149, 323, 506, 427 of IPC (Sections 324, 325, 326 of IPC added later on) registered at Police Station IT Park, Chandigarh and all subsequent proceedings arising therefrom on the basis of compromise dated 28.02.2024 (Annexure P-2) are quashed qua the petitioners.

08.11.2024

Deepak Patwal

(MANISHA BATRA)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No