



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

CRM-M No.18420 of 2024
Date of decision: 19th September, 2024

Kshitiz Gupta & another

... Petitioners

Versus

State of UT Chandigarh & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Arshvir S. Sandhu, Advocate for the petitioners.
(through VC)

Ms. Shaurya Nagpal, Advocate for
Mr. Manish Bansal, Public Prosecutor UT Chandigarh
with ASI Avtar Singh,
for the respondent/State.

Mr. Nikhil Anand, Advocate for respondent No.2

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.0350 dated 13.10.2023 (Annexure P-1) under Sections 406, 420, 120-B of the IPC (Sections 467, 468, 471 IPC added later on) registered at Police Station Sector 36, Chandigarh along with all consequential proceedings arising therefrom on the basis of compromise dated 04.11.2023 (Annexure P-2) effected between the parties.

2. Vide order dated 16.04.2024 of the Coordinate Bench of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate, 1st Class, Chandigarh, in pursuance of the direction 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 affected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that he would have no objection if the FIR qua the accused-petitioners is quashed.

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

5. Learned State counsel too submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of the learned Judicial Magistrate, 1st Class, Chandigarh and the principles laid down by Hon'ble 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 v. 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 qua the petitioners, are quashed.

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

(MANJARI NEHRU KAUL)
JUDGE

September 19, 2024
rps

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