



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203/B

CRM-M-20581-2024 (O&M)
Date of decision: 27.09.2024

GAURAV KASHYAP

...Petitioner

Versus

CHD ADMINISTRATION AND ANR

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Arjun Shukla, Advocate
for the petitioner.

Mr. Vipul Jindal, APP, U.T., Chandigarh.

Mr. Rohit Khullar, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J.

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.144 dated 08.08.2022, under Sections 406 and 420 IPC registered at Police Station Sector-36, Chandigarh (Annexure P-1), on the basis of compromise executed between the parties vide order dated 19.04.2024 passed by this Court in *CRM-M-38201 of 2021* titled *Gaurav Kashyap vs. State of Punjab* (Annexure P-2).

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2 on account of misunderstanding between the parties. He further contends that the matter has been settled between



the parties and compromise has been executed between them vide order dated 19.04.2024 passed by this Court in *CRM-M-38201 of 2021* titled *Gaurav Kashyap vs. State of Punjab* (Annexure P-2). He submits that the matter stands settled between the parties, as such, respondent No.2 does not want to take any action in the FIR.

[3] Learned counsel for respondent No.2 confirms about the factum of compromise between the parties.

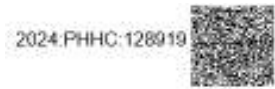
[4] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[5] On 02.05.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[6] As per the report dated 16.05.2024 received from Judicial Magistrate 1st Class, Chandigarh forwarded through the office of District and Sessions Judge, Chandigarh, the petitioner has not been declared as 'Proclaimed Offender' and he is not involved in any other FIR.

[7] Keeping in view the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon'ble Apex Court in **Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543** and the decision of Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052**, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and FIR No.144 dated 08.08.2022, under Sections 406 and 420 IPC registered at Police Station Sector-



36, Chandigarh (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] However, the respondent No.2 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise (Annexure P-2) are violated.

[10] Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

27.09.2024
P.Bhatt

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