



236 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24130-2023
Date of decision:18.10.2024

UMESH CHANDEL

...Petitioner

VERSUS

STATE OF UT CHD. AND OTHERS.

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Nitin Verma, Advocate for
Mr. J.S. Dadwal, Advocate for the petitioner.

Mr. Anil Kumar Lamdharia, Addl. P.P., UT, Chandigarh
alongwith Ms. Kanta Lamdharia, Advocate and
Mr. Kamal Kumar, Advocate for U.T. Chandigarh.

Mr. G.S. Sandhu, Advocate for respondents No.2 & 3.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.166 dated
12.09.2022 registered under Sections 279, 337 of IPC and Section 338 of
IPC and Section 185 of M.V. Act added at Police Station Industrial Area,
U.T. Chandigarh, on the basis of compromise.

2. The above stated FIR was registered on the statement of the
complainant/respondent No.2- Washib against the petitioner.

3. On notice of motion, respondents No.2 and 3 appeared in the
Court through their counsel and pleaded that they have no objection if the
FIR in this case is quashed on the basis of the aforesaid compromise
which has been effected between the parties.



4. During the course of preliminary hearing, the trial Court/Illaqa Magistrate was directed to record the statements of the all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

5. In compliance thereof, report from the Court of Chief Judicial Magistrate, Chandigarh along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

6. I have heard learned counsel for the parties.

7. Learned counsel for the petitioner and for respondents No.2 and 3 are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

8. In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and thus, amount to abuse of process of law.

9. For the reasons aforestated and having regard to the law laid down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and another**, 2012 (4) RCR (Criminal) 543 and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007(3) RCR (Criminal) 1052, this petition is allowed and FIR No.166 dated 12.09.2022 registered under Sections 279, 337 of IPC and Section

CRM-M-24130-2023

:3:

2024-PHHC-136399



338 of IPC and Section 185 of M.V. Act added at Police Station Industrial Area, U.T. Chandigarh and all the subsequent proceedings are hereby quashed qua the present petitioner.

18.10.2024
Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No