



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

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CRM-M-36189-2024

Date of decision: 28.11.2024

Dattatreya Kundu and another

.....Petitioners

Versus

State of U.T. Chandigarh and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Manjot Gujral, Advocate
for the petitioners.

Mr. Manish Bansal, P.P., U.T., Chandigarh with
Mr. Shaurya Nagpal, Advocate
for respondent No.1-UT.

Mr. Karanbir Singh, Advocate and
Mr. Gaurav Charaya, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.100 dated 04.10.2023 under Sections 419, 420, 120-B of the IPC registered at Police Station Cyber Crime, District Chandigarh and all consequential proceedings arising out of the same, on the basis of compromise arrived at, between the parties.

2. Vide orders dated 30.07.2024/30.09.2024 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 Ist Class, Chandigarh, in pursuance of the directions of this



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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 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 copies of statements of the parties alongwith 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 Ist 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 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 qua petitioners.

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

28.11.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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