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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40294-2024
Date of Decision: 12.11.2024

AMIT MITTAL AND ANOTHER

.....PETITIONER

VERSUS

STATE OF UT CHD. AND ANR

.....RESPONDENT

CORAM:- HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vishal Khatkar , Advocate
for the petitioners.

Ms. Vasundhara Dalal, Addl. P.P for U.T. Chandigarh.

Mr. Vishal Garg Narwana, Advocate with
Mr. Arishdeep Mraad, Advocate
Mr. Kushwant Saharan, Advocate
Mr. Aman Mittal, Advocate
Mr. Vikas Barala, Advocate
for respondent No.2.

MANISHA BATRA, J (ORAL)

The present petition has been filed under Section 482 of Code of Criminal Procedure for quashing of FIR No.40 dated 01.04.2024 registered under Sections 323, 341 & 120-B of IPC, 1860 (Section 326 IPC added later on) at Police Station Sector-34 (South), Chandigarh, and all the subsequent proceedings arising therefrom, on the basis of compromise dated 23.07.2024 (Annexure P-2).

2 . This Court vide order dated 21.08.2024 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 Judicial Magistrate 1st Class, Chandigarh and got their statements recorded. On the basis of the statements so recorded, learned Judge has submitted report dated 28.10.2024 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 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.40 dated 01.04.2024 registered under Sections 323, 341 & 120-B of IPC, 1860 (Section 326 IPC added later on) at Police Station Sector-34 (South), Chandigarh, all subsequent proceedings arising therefrom on the basis of compromise dated 23.07.2024 (Annexure P-2) are quashed qua the petitioners

(MANISHA BATRA)
JUDGE

12.11.2024
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No