

CRM-M-47893-2024 (O&M)

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259 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-47893-2024 (O&M)

Date of Decision: 20.11.2024

VARUN SACHDEVA

...Petitioner

Versus

U.T. CHANDIGARH AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. K.S. Dadwal, Advocate
for the petitioner.

Mr. Vivek Singla, APP UT Chandigarh.

Mr. Rahul Bhargava, Advocate
for respondent No. 2.

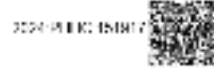
Harpreet Singh Brar J.(Oral)

1. The present petition has been filed for quashing of an FIR No.13 dated 08.02.2024 under Section 498-A IPC registered at Women Police Station Sector 17, U.T., Chandigarh and all other consequential proceedings arising therefrom including the report under Section 173 Cr.P.C. dated 02.05.2024 (Annexure P-2), on the basis of compromise dated 10.09.2024 (Annexure P-3), entered into between the parties.

2. The following order was passed on 25.09.2024:

“The present petition has been filed for quashing of an FIR No.13 dated 08.02.2024 under Section 498-A IPC registered at Women Police Station Sector 17, U.T., Chandigarh and all other consequential proceedings arising therefrom including the report under Section 173 Cr.P.C. dated 02.05.2024 (Annexure P-2), on the basis of compromise dated 10.09.2024 (Annexure P-3), entered into between the parties.

Learned counsel for the petitioner submits that in order to live peacefully, parties have entered into compromise



(Annexure P-3), according to which, both the parties have agreed not to proceed further with the FIR in question.

Notice of motion for 04.11.2024.

Mr. Vivek Singla, APP, for U.T., Chandigarh accepts notice on behalf of respondent No.1. Mr. Prikshit Thakur, Advocate, for Mr. Rahul Bhargava, Advocate, accepts notice on behalf of respondent No.2. He does not dispute the above said compromise, which has been arrived at between the parties, according to which, complainant does not wish to press the allegations alleged in the FIR any further.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording their statement with regard to compromise/settlement (Annexure P-3) on 15.10.2024 by moving an appropriate application or by presenting this order.

The trial Court/Illaq Magistrate is directed to submit the report on or before the next date of hearing containing the following information in a tabulated form:-.

- 1. Number of persons arrayed accused in the FIR;*
- 2. Whether any accused is a proclaimed offender;*
- 3. Whether the compromise is genuine, voluntary and without any coercion or undue influence;*
- 4. Whether the accused persons are involved in any other FIR or not; and*
- 5. The statements of the complainant and all the victims/persons aggrieved shall be recorded by the Trial Court;*
- 6. The Trial Court is also directed to record the statement of the Investigating Officer/any other officer aware of the facts of the case so as to know how many victims/complainants are there in the FIR and whether all the victim/complainant as well as accused are party to the compromise in question.*

The petitioner shall deposit a cost of Rs.25,000/- with the Day Care Centre for Elderly Disabled in home for Old and Destitute People, Sector 15, Chandigarh on or before the date of recording of their statements and produce the receipt of the same to the Trial Court/Illaq Magistrate.”



3. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone. Perusal of record further indicates that directions issued by this Court on 25.09.2024 regarding depositing amount of Rs. 25,000/- with the Day Care Centre for Elderly Disabled in home for Old and Destitute People, Sector 15, Chandigarh, has been complied with.

4. In view of the compromise and the ratio of law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834** and **Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63** and Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (CrI.) 1052**, this petition is allowed and FIR No.13 dated 08.02.2024 under Section 498-A IPC registered at Women Police Station Sector 17, U.T., Chandigarh and all other consequential proceedings arising therefrom including the report under Section 173 Cr.P.C. dated 02.05.2024 (Annexure P-2) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

20.11.2024
Ajay Goswami

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