



CRM-M-64750-2024 (O&M)

-1-

297 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARHCRM-M-64750-2024 (O&M)
Date of Decision: 18.02.2025

SUNIL KUMAR OBEROI

...Petitioner

V/S

STATE OF UT CHANDIGARH AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sagar Doon, Mr. Jaideep Sood
and Mr. Saurav Dogra, Advocates for the petitioner.Mr. Vipul Jindal, Addl. PP UT
Chandigarh for respondent No. 1.Ms. Caral, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. Through the instant petition, prayer is made for quashing of FIR No.91 dated 14.09.2024, under Sections 120-B and 406 IPC, registered at Police Station Industrial Area, Chandigarh and all subsequent proceedings enumerating therefrom, on the basis of compromise dated 28.09.2024 (Annexure P-2).

2. The following order was passed on 20.12.2024:

“Through the instant petition, prayer is made for quashing of FIR No.91 dated 14.09.2024, under Sections 120-B and 406 IPC, registered at Police Station Industrial Area, Chandigarh and all subsequent proceedings enumerating therefrom, on the basis of compromise dated 28.09.2024 (Annexure P-2).

Notice of motion.



Mr. Vipul Jindal, APP, U.T., Chandigarh waives service on behalf of the respondent-State whereas, Mr. Tanveer Singh, Advocate for Mr. Caral, Advocate has filed vakalatnama on behalf of respondent No.2 and has submitted that he has no objection in case the FIR(supra) is quashed on the basis of compromise (Supra).

In view of above, the parties are directed to appear before the learned Illaqa Magistrate/trial Court concerned within one month from today to get their respective statements recorded regarding the compromise and after recording their respective statements, the learned trial Court/Illaqa Magistrate concerned is directed to send the same alongwith its report, regarding the genuineness of compromise, on or before the next date of hearing in the present petition, specifically with regard to the following facts:-

- 1. Number of persons arrayed as accused in the FIR;*
- 2. Whether any accused is proclaimed offender;*
- 3. Stage of the trial/proceedings.*
- 4. Whether the compromise is genuine, voluntary, and without any coercion or undue influence and*
- 5. Total number of victims and their names.*

It is made clear that complainant/private respondent should also appear in person before the learned trial Court/Illaqa Magistrate concerned to get his statement recorded regarding compromise.

To come up on 18.02.2025.

The State counsel is also directed to verify the factum of compromise by the date fixed.

A copy of this order be sent to the learned trial Court/Illaqa Magistrate for compliance.”

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.

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** 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 (Crl.) 1052**, this petition is allowed and FIR No.91 dated 14.09.2024, under Sections 120-B and 406 IPC, registered at Police Station Industrial Area, Chandigarh along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

18.02.2025
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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