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

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Date of decision : 10.07.2025

Sumit Kumar

..... Petitioner

V/S

Union Territory, Chandigarh and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Satish Kumar, Advocate for petitioner.

Mr. Rahul Arora, Addl. PP, UT, Chandigarh.

Mr. Pratik Gachhan, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner – Sumit Kumar has filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.297 dated 18.07.2018, registered under Sections 294, 354, 354-B, 354-D, 509 of IPC 1860, at Police Station Sector 31, Chandigarh (Annexure P-1) and all the subsequent proceedings arising therefrom, qua the petitioner, in light of the compromise effected between the parties dated 15.04.2025 (Annexure P-2).

2. As per facts of the case, complainant/respondent No.2 filed written complaint to SHO, Police Station Sector-31, Chandigarh alleging that on 17.07.2018 at about 10:00 PM, she was sitting outside her house when three boys on Activa Scooter were roaming around her house. One of the boy was Sumit. He made obscene gesture and used filthy language. She informed her mother by



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going inside. On this he gave beating to her and ran away. With these allegations, present FIR has been registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 02.05.2025, petitioner and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Judicial Magistrate Ist Class, Chandigarh dated 31.05.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected voluntarily, without any coercion or undue influence and she has no objection regarding quashing of FIR.

4. Petitioner- Sumit Kumar also confirmed this fact in his statement. Statement of ASI/LR Veena Kumari is also recorded who confirmed that petitioner is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Chandigarh it is clear that the compromise has been effected between the parties without any pressure, coercion or undue influence, which is acceptable to both the parties. Both the parties are residents of same locality, it would enable them to live in peace and harmony. They have mutually settled all their disputes. It will end all litigation started between them. No purpose would be served with the continuation of criminal proceedings.

6. Gainful reference can be made to the judgment of Larger Bench of Five Judges of this High Court cited in 2007(3) R.C.R. (Criminal) 1052 tilted as Kulwinder Singh and Ors. Vs. State of Punjab and Anr., where it was



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explained that ‘there can never be any hard and fast category which can be prescribed to enable the court to exercise its power under Section 482 of Cr.P.C. The only principle that can be laid down is the one which has been incorporated in the section itself i.e. to prevent abuse of the process of any court or to secure the ends of justice.’

7. Therefore, by relying upon the ratio of the aforesaid judgment, no purpose would be served with the continuation of criminal proceedings. Considering these facts, the petition filed by the petitioner is accepted and FIR No.297 dated 18.07.2018, registered under Sections 294, 354, 354-B, 354-D, 509 of IPC 1860, at Police Station Sector 31, Chandigarh (Annexure P-1) and all subsequent proceedings arisen therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

10.07.2025.*Sunil Devi*

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