

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

CRL. MISC. No.M-40448 OF 2014 (O&M)
DATE OF DECISION : 29th OCTOBER, 2015

Adarsh Joshi & another

.... **Petitioners**

Versus

State of Punjab & another

.... **Respondents**

CORAM : HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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Present : Mr. K. S. Sidhu, Advocate for the petitioners.

Mr. K. S. Aulakh, Assistant Advocate General, Punjab.

Mr. Prateek Pandit, Advocate for respondent No.2.

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ANITA CHAUDHRY, J. (ORAL)

The instant petition is for quashing of FIR No.100 dated 21.10.2010 registered under Sections 406, 420 IPC and Section 24 of Emigration Act at Police Station Sadar Kapurthala, District Kapurthala and the consequent proceedings arising out of the same, on the basis of written compromise (Annexure P-2) arrived at between the parties.

Report has been received from learned ACJM, Kapurthala after statements of the parties were recorded regarding the compromise. Learned ACJM has reported that the compromise is voluntary and without any pressure or coercion. It is further submitted by him that accused Harpreet Singh was declared

proclaimed offender in this case. Learned ACJM has also sent copy of the statements of parties.

No useful purpose would be served to keep the FIR pending.

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, approved by Hon'ble Apex Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, the instant petition is allowed and the aforesaid FIR and all consequent proceedings conducted on the basis thereof are quashed qua the petitioners only except Harpreet Singh.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

29th October, 2015
'raj'

(ANITA CHAUDHRY)
JUDGE