

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

**CRM-M-36808-2018  
Date of decision:30.10.2018**

Sandeep Jain

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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**CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL**

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Present: Mr. Gourav Goel, Advocate  
for the petitioner.

Mr. A.S. Sandhu, Addl. A.G., Punjab.

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**GURVINDER SINGH GILL, J. (ORAL)**

The petitioner seeks quashing of FIR No. 60 dated 05.05.2018 under Sections 408 of Indian Penal Code, 1860, Police Station Machiwara and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 27.08.2018 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded with regard to the genuineness of the compromise.

Report of learned Judicial Magistrate Ist Class, Samrala has

been received to the effect that the statement of accused Sandeep Jain and also of Kamaldeep Sharma through whom the FIR has been lodged as well as of Sh. R.K. Sharma, Senior General Manager of M/s S.T. Cottex Export Pvt. Ltd. have been recorded to the effect that they have effected compromise with the intervention of respectables. Learned Judicial Magistrate Ist Class, Samrala has opined that the compromise is genuine and has been effected voluntarily without there being any undue influence or coercion.

In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the petition is allowed and FIR No. 60 dated 05.05.2018 under Sections 408 of Indian Penal Code, 1860, Police Station Machiwara and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

( GURVINDER SINGH GILL)  
JUDGE

30.10.2018  
Gaurav Sorot

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|------------------------------|----------|
| Whether reasoned / speaking? | Yes / No |
| Whether reportable?          | Yes / No |