

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

**CRM-M-38726 of 2017
Date of decision:20.3.2018**

Arun Gandhi

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. B.D. Sharma, Advocate
for the petitioners.

Mr. Harbir Sandhu, AAG, Punjab
for respondent No.1.

MAHABIR SINGH SINDHU, J. (ORAL)

Mr. Paramjot Deol, Advocate has filed his power of attorney on behalf of respondent No.2 in the Court today. The same is taken on record.

Present petition is filed praying for quashing FIR No. 263 dated 19.08.2017 under Sections 406 and 420 of the Indian Penal Code registered at Police Station Sadar, Nakodar, District Jalandhar on the

basis of compromise entered into between the parties.

2. Heard learned counsel for both the parties and perused the paper book.

3. Both the parties were directed by this Court vide order dated 20.01.2017 to appear before the learned Illaqa Magistrate/ Trial Court and get their statements recorded and in pursuance thereof, learned Sub Divisional Judicial Magistrate recorded the statements of both the parties and submitted a report dated 30.11.2017 and operative part of the same reads as under:

' In pursuance of the directions, parties have come present and suffered their statements voluntarily, without any pressure regarding compromise effected between them with regard to dated 19.08.2017 in FIR No .263 P.S. Sadar Nakodar, u/s 406/420 IPC which were recorded accordingly

Report of Ahlmad also called and as per his report no other case between parties or proclamation proceeding against any of these parties is pending.

The parties have suffered their statements voluntarily before Court as they have compromised their dispute with the intervention of respectables of locality and family members.'

A perusal of the report reveals that the compromise entered into between the parties is voluntary and without any, coercion or undue influence. Even before this Court also, the parties are not disputing the

factum of compromise arrived at between them.

4. No objection has been raised by the learned State counsel and learned counsel for respondent No.2 on a specific query put to them by the Court with regard to quashing of the FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties in this case.

5. In view of the above, this Court is fully convinced that the offences are entirely personal in nature and did not affect any public peace or tranquillity and thus quashing of FIR in question along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice. Consequently, the aforesaid FIR and all consequential proceedings resulting therefrom are quashed qua petitioner(s).

6. Petition is allowed.

**(MAHABIR SINGH SINDHU)
JUDGE**

20.03.2018
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| 1. | Whether reportable? | Yes / No |
| 2. | Whether reasoned / speaking? | Yes / No |