

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

CRM-M-42788-2017 (O&M)

Date of Decision:-4.12.2018

Rohit Kumar

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ishaan Pasricha for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioner seeks quashing of FIR No.57 dated 24.2.2017 registered at Police Station Salem Tabri, District Ludhiana under Sections 379-B, 411 and 34 of Indian Penal Code, 1860 and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 13.11.2017, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.

Report of learned Judicial Magistrate 1st Class, Ludhiana has been received to the effect that the statement of complainant Veeru has been recorded to the effect that he has compromised the matter with the accused and has no objection in case the FIR is quashed. To the similar effect is the statement of the petitioner/accused Rohit Kumar.

It has been informed by learned State counsel that apart from the petitioner Rohit Kumar, there is one more accused namely Nihal, who is a juvenile against whom the trial is proceeding separately.

It has specifically been opined by learned Judicial Magistrate 1st Class, Ludhiana that the parties have entered into compromise voluntarily and without there being any pressure, coercion or undue influence.

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.57 dated 24.2.2017 registered at Police Station Salem Tabri, District Ludhiana under Sections 379-B, 411 and 34 of Indian Penal Code, 1860 and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

It is, however, clarified that the aforesaid order regarding quashing of FIR in question qua the petitioner shall have no effect or bearing on the case against the co-accused.

4.12.2018

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No