

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

**CRM-M-49918-2017
Date of decision:19.07.2018**

Neeraj Gupta

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Naseem Yadlapati, Advocate
for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab
for respondent No.1 assisted by ASI Parveen Kumar.

Mr. J.S. Banwait, Advocate
for respondent No.2.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks quashing of FIR No. 308 dated 09.11.2016 under Sections 406, 420, 506, 34 of the Indian Penal Code, 1860, Police Station Narwana City, District Jind and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 13.03.2018 the parties had been directed to

appear before the trial Court/Illaqa Magistrate so as to get the statements recorded with regard to factum of the compromise.

Report of learned Sub-Divisional Judicial Magistrate, Narwana has been received wherein it has been reported that statement of complainant-Rajesh Gupta and also of accused-Neeraj Gupta, have been recorded to the effect that they have compromised the matter. It has further been opined that the compromise is genuine and has been effected voluntarily by the parties out of their own free will.

It has been pointed out by learned State counsel that though three persons have been arrayed as accused but two have been declared innocent during the course of investigation itself. In view of the report of learned Sub-Divisional Judicial Magistrate, Narwana based on the statement of complainant, this Court is satisfied that the matter has been settled amicably.

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. 308 dated 09.11.2016 under Sections 406, 420, 506, 34 of the Indian Penal Code, 1860, Police Station Narwana City, District Jind and all the consequent proceedings arising therefrom are hereby quashed.

(GURVINDER SINGH GILL)
JUDGE

19.07.2018
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No