

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

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CRM-M No.8329 of 2018
Date of Decision: May 31st, 2018

Gillvet Sagar alias Gilbert Sagar and others

.....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. G.P.S. Pathania, Advocate
for the petitioners.

Mr. Kuldeep Singh, Senior Deputy Advocate General, Punjab.

Mr. Suneet Singh Deol, Advocate
for respondent No.2.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for quashing of FIR No.0048 dated 17.05.2016 registered under Sections 420, 120-B IPC at Police Station Sujampur, District Pathankot, and all consequential proceedings arising therefrom on the basis of a compromise dated 17.02.2018 (Annexure P-2) entered into between the parties.

In compliance with the order passed by this Court on 27.02.2018, parties appeared before the learned Chief Judicial Magistrate, Pathankot, on 27.03.2018 and got recorded their respective statements.

In pursuance thereto, report dated 30.03.2018 has been submitted, according to which the compromise which has been entered into between the parties is without any pressure, coercion or undue influence and, therefore, the compromise is voluntary.

Counsel for the parties, on the basis of the report of Chief Judicial Magistrate, Pathankot, referred to above, submit that the

present petition be allowed.

Counsel for respondent No.2 states that in the light of the compromise which has been entered into between the parties, complainant-respondent No.2 has no objection in case the present FIR which is the subject matter of this case and all consequential proceedings arising therefrom are quashed.

Keeping in view the report submitted by Chief Judicial Magistrate, Pathankot, and in view of the fact that the complainant has no objection to the quashing of the FIR as also keeping in view the principles laid down by judgment of Supreme Court in ***Madan Mohan Abbot Versus State of Punjab 2008 (2) RCR (Criminal) 429*** and in ***Criminal Appeal No.1723 of 2017*** titled as ***Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others Versus State of Gujarat and another***, decided on 04.10.2017, the present petition is allowed and FIR No.0048 dated 17.05.2016 registered under Sections 420, 120-B IPC at Police Station Sujanpur, District Pathankot, and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners only.

May 31st, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No