

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

CRM-M-8362-2018
Date of decision:07.08.2018

Rakesh Kumar Gupta

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Satwant Singh Rangi, Advocate
for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab
for respondent No.1.

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

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks quashing of FIR No.95 dated 29.12.2017 under Sections 420, 494 of Indian Penal Code, 1860, Police Station Balongi, District SAS Nagar Mohali and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 27.02.2018 the parties had been directed to

appear before the Illaqa Magistrate so as to get the statements recorded with regard to the genuineness of the compromise.

Report of learned Judicial Magistrate Ist Class, Kharar has been received wherein it has been reported that statements of the petitioner Rakesh Kumar Gupta as well as of Sarita Kumari-complainant have been recorded who have stated that they have compromised the matter and that complainant has no objection if the FIR is quashed. It has specifically been opined by learned Judicial Magistrate Ist Class, Kharar 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.95 dated 29.12.2017 under Sections 420, 494 of Indian Penal Code, 1860, Police Station Balongi, District SAS Nagar Mohali and all the consequent proceedings arising therefrom are hereby quashed.

(GURVINDER SINGH GILL)
JUDGE

07.08.2018
Gaurav Sorot

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