

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-8896-2019 (O&M)

Date of Decision:-8.7.2019

Bansi Lal Gill

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vinod Kumar, Advocate for the petitioner.

Ms. Rashmi Attri, Assistant Advocate General, Punjab.

Mr. Jashanjot Singh Uppal, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking quashing of FIR No.125 dated 5.6.2018 registered at Police Station Tanda District Hoshiarpur under Sections 406 and 420 of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 27.2.2019, 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, Dasuya has been received, wherein it has been reported that statements of petitioner/accused Bansi Lal Gill through his special power of attorney Shonki i.e. the brother

of the petitioner and also of complainant Santa Singh have been recorded to the effect that they have compromised the matter amongst themselves and they have no objection in case the FIR is quashed.

The learned Judicial Magistrate 1st Class, Dasuya has specifically opined that the parties have entered into compromise voluntarily 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 present petition is allowed and FIR No.125 dated 5.6.2018 registered at Police Station Tanda District Hoshiarpur under Sections 406 and 420 of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom are hereby quashed qua petitioner.

8.7.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking Yes / No

Whether reportable Yes / No