

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

CRM-M-16421-2018 (O&M)

Date of Decision:- 15.1.2019

Akashdeep Sharma and another ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kanwar Pahul Singh, Advocate, for the petitioners.

Ms. Ruchika Sabherwal, AAG, Punjab.

Ms. Veenus Dhaka, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

The present petition has been filed for quashing of FIR No. 40, dated 11.2.2017, registered at Police Station Chheharta Police Commissionerate, under Section 379-B IPC and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Ms. Rabia, Advocate has appeared on behalf of respondent No.2 and filed memo of appearance. The same is taken on record.

Vide order dated 1.10.2018 the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get the statements recorded.

Report of learned Additional Sessions Judge, Amritsar has been received to the effect that statement of complainant-Nisha Soni and also of petitioners/accused Akashdeep Sharma and Karandeep Singh have been recorded to the effect that they have entered into a compromise with the intervention of respectables. The complainant has specifically stated that she has no objection if the FIR in the present case is quashed. Learned Additional Sessions Judge, Amritsar opined that the compromise arrived between the parties is voluntary, without any coercion, threat or undue influence and compromise appears to be genuine.

In view of the aforesaid report 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. 40, dated 11.2.2017, registered at Police Station Chheharta Police Commissionerate, under Section 379-B IPC and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

January 15, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No