

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

CRM-M-28425-2019 (O&M)

Date of Decision:-15.11.2019

Harsh Kumar

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Joginder Siwach, Advocate for
Mr. Rajeev Dev Sharma, Advocate for the petitioner.

Ms. Rashmi Attri, Assistant Advocate General, Punjab.

Mr. P.P. Rana, Advocate for
Mr. G.S. Madaan, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking quashing of FIR No.132 dated 11.10.2017 registered at Police Station Division No.2, Pathankot, District Pathankot under Sections 406 and 498-A 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 8.7.2019, 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, Pathankot has been received, wherein it has been reported that statements of

petitioner/accused Harsh Kumar and also of complainant Deepchhaya have been recorded to the effect that they have compromised the matter amongst themselves.

The complainant in her statement has specifically stated that she has no objection in case the FIR in question is quashed.

The learned Judicial Magistrate 1st Class, Pathankot 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.132 dated 11.10.2017 registered at Police Station Division No.2, Pathankot, District Pathankot under Sections 406 and 498-A of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom are hereby quashed qua petitioner.

15.11.2019

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**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No