

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

CRM-M-31212-2019 (O&M)
Date of Decision:-17.12.2019

Ganesh Chand

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Paramjeet Phor, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

Mr. Mohit Trikha, Advocate for respondents No.2 and 3.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking quashing of FIR No.0038 dated 2.3.2019 registered at Police Station Tripuri, Patiala, District Patiala 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.
2. Vide order dated 1.10.2019, 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.
4. Report of learned Judicial Magistrate 1st Class, Patiala has been received, wherein it has been reported that statements of petitioner/accused Ganesh Chand and also of complainant Gopal Dutt and Asha Devi @ Asha Rani

have been recorded to the effect that they have compromised the matter amongst themselves with the intervention of respectables.

5. The complainant in his statement has stated that he has no objection in case the FIR in question is quashed.
6. The learned Judicial Magistrate 1st Class, Patiala has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
7. 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.0038 dated 2.3.2019 registered at Police Station Tripuri, Patiala, District Patiala under Sections 406 and 498-A of Indian Penal Code, 1860 of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom are hereby quashed qua petitioner.

17.12.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No