

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

CRM-M-62325-2018 (O&M)
Date of Decision:-24.5.2019

Gurmehar Singh and another ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. G.S. Brar, Advocate for the petitioners.

Ms. Rashmi Attri, Assistant Advocate General, Punjab.

Mr. R.S. Randhawa, Advocate for respondents No.2.

GURVINDER SINGH GILL, J.(Oral)

The petitioners have approached this Court seeking quashing of FIR No.22 dated 16.3.2014 registered at Police Station Phagwara City, District Kapurthala under Sections 420, 406, 506 and 120-B 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 5.2.2019, 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 Sub Divisional Judicial Magistrate, Phagwara has been received, wherein it has been reported that statements of petitioners/accused Gurmehar Singh and Rajwinder Kaur and also of Rajinder Kumar, attorney of complainant Jarnail 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 Sub Divisional Judicial Magistrate, Phagwara 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.22 dated 16.3.2014 registered at Police Station Phagwara City, District Kapurthala under Sections 420, 406, 506 and 120-B Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

24.5.2019

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**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking Yes / No

Whether reportable Yes / No