

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

CRM-M-43000-2018 (O&M)

Date of Decision:-16.1.2019

Rajiv Kumar

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Kumar Saini, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

Mr. Amit Kumar, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioner seek quashing of FIR No.60 dated 26.5.2018 registered at Police Station Rahon, District SBS Nagar under Sections 420, 406 and 34 of Indian Penal Code, 1860 and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 20.12.2018, 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 Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar has been received, wherein it has been reported that the statements of petitioner/accused Rajiv Kumar and also of complainant Angrej Singh have been recorded to the effect that they have compromised the matter amongst themselves with the intervention of respectables.

The complainant Angrej Singh has further stated in his statement that he has compromised the matter with the petitioner/accused Rajiv Kumar only and that he has not effected any compromise with other accused namely Manohar Lal.

It has specifically been opined by learned Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar 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.60 dated 26.5.2018 registered at Police Station Rahon, District SBS Nagar under Sections 420, 406 and 34 of Indian Penal Code, 1860 and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

16.1.2019

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(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No