

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

238

CRM-M-29434 of 2020
Date of Decision: 26.11.2020

Munish Mahajan

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Shekhar Verma, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

Mr. Harshit Anand, Advocate
for respondent No.2.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.135 dated 10.10.2019 under Sections 420, 465, 468 and 471 IPC, registered at Police Station Dina Nagar, District Gurdaspur (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise deed dated 11.06.2020 (Annexure P-2).

This Court vide order dated 24.09.2020 had directed the parties to appear before the trial Court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Gurdaspur and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 19.10.2020 to the effect that the compromise arrived at between the parties is genuine and effected with their free will.

Respondent No.2-complainant, namely, Raman Mahajan, has made a statement with regard to compromise before learned Magistrate on 15.10.2020. The same is reproduced as under:-

“Stated that FIR No.135 dated 10.10.2019 under Sections 420, 465, 468, 471 of IPC, P.S. Dinanagar, District Gurdaspur has been registered on my statement against accused Munish Mahajan son of Jagmohan Mahajan, resident of Marwaha Gali, Dinanagar, Tehsil & District Gurdaspur. The accused has compromised the matter with me. The compromise has been effected between me and the accused without any pressure, threat, or coercion but with my free consent. I have no objection, if FIR No.135 dated 10.10.2019 under Sections 420, 465, 468, 471 of IPC, P.S. Dinanagar, District Gurdaspur is quashed against the accused. The photocopy of Aadhar Card is Mark-A. No accused is proclaimed offender in this case.”

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and FIR No.135 dated 10.10.2019 under Sections 420, 465, 468 and 471 IPC, registered at Police Station Dina Nagar, District Gurdaspur (Annexure P-1) and all the consequential

proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise (Annexure P-2), subject to payment of costs of 10,000/- to be deposited by the petitioner, within a period of one month from today with the Bar Association of this Court.

26.11.2020

D.Bansal

**(HARI PAL VERMA)
JUDGE**

Whether speaking/ reasoned :	Yes/ No
Whether Reportable :	Yes/ No