

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

229

**CRM-M-29200 of 2021
Date of Decision:26.10.2021**

Gurpreet Kaur and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Amit Kumar Saini, Advocate,
for the petitioners.

Mr. Rana Harjasdeep Singh, DAG, Punjab

Mr. Yashpal Thakur, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

On 28.07.2021 the following order had been passed in this case by
this court:-

“Case heard via video conferencing.

By this petition, the petitioners seek quashing, on the basis of a compromise arrived at between them and respondent no. 2, of FIR no. 74, dated 06.04.2019, registered at Police Station Khanna City-2, Police District Khanna, for the alleged commission of offences punishable under the provisions of Sections 420/496/120-B of the IPC, as also all other subsequent proceedings arising therefrom. A copy of the compromise deed has been annexed as Annexure P-2 with

the petition.

Notice of motion.

Mr. Ramdeep Partap Singh, DAG, Punjab, accepts notice at the asking of the court on behalf of respondent no.1, with Mr. Gaurav Arora, Advocate, appearing for respondent no.2. He will file a power of attorney duly executed by the aforesaid respondent in his favour well before the next date of hearing.

A copy of the petition be emailed to both learned counsel by counsel for the petitioners today itself.

Adjourned to 26.10.2021.

In the meanwhile, the petitioners, as also respondent no. 2, would appear before the learned trial court/Ilaqa Magistrate upto 10.09.2021 to record their statements. The trial court/Ilaqa Magistrate would satisfy itself/ herself/himself with regard to the authenticity of the compromise and the fact that it has been arrived at without any kind of undue influence or pressure, and would thereafter send its/her/his report to this court, before the next date of hearing.

That court would also verify whether there is any other person involved in the occurrence, who is not a party to the present petition and whose consent for the compromise would be required, if this court comes to the conclusion that the FIR sought to be quashed can be so quashed.

A gazetted officer is directed to file an affidavit stating therein whether there are any other criminal cases registered against the petitioners, of like nature or otherwise.”

Pursuant thereto, a report of the learned JMIC, Khanna, dated 10.08.2021, has been received, stating to the effect that the statement of the complainant in the FIR (respondent no.2, Mukesh Kumar @ Mukesh Kapoor) was recorded to the effect that he has compromised the matter with the petitioners,

Gurpreet Kaur, Amrik Singh, Manjit Kaur and Satinderpal Singh, of his own free will and that he does not want to proceed further against them.

The statements of the petitioners were also recorded before that court in terms of the compromise reached.

The investigating officer also got recorded his statement to the effect that there was only “one complainant” and “four accused” with no other person involved in the occurrence in question.

As per the assessment of that court, the compromise arrived at between the parties is of their own free wills.

Counsel for the complainant does not deny that the compromise between the parties still subsists.

That being so, looking at the nature of the offences alleged to have been committed and the matter having been amicably settled between the parties, the petition is allowed and FIR No.74, dated 06.04.2019, registered at Police Station Khanna City-2, Police District Khanna, for the alleged commission of offences punishable under Sections 420, 496 and 120-B of the IPC, along with all proceedings emanating therefrom, is hereby quashed.

October 26, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No