

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 706 of 2022
Date of Decision: 05.4.2022**

Simranjit Singh Mann and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Vishal Sharma (Vasudeva), Advocate
for the petitioners.

Ms. Bhavna Gupta, DAG, Punjab
assisted by ASI Jaswant Singh.

Mr. Tushar Wadhwa, Advocate Advocate
for respondents No. 2 to 6.

SURESHWAR THAKUR, J. (ORAL)

1. Through the instant petition, filed under Section 482 Cr.P.C., the petitioners seek quashing of FIR No. 292 dated 22.12.2021 registered at Police Station Kharar, District SAS Nagar, constituting therein offences, under Sections 406, 420, 465, 467, 468, 471, 120-B IPC, and, under Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014, and, also of all the consequential proceedings arising therefrom, hence on the basis of compromise dated 23.12.2021 (Annexure P-2), arrived at between the parties.

2. The learned counsel for the petitioners as well as the learned counsel for respondents No. 2 to 6 have stated at the bar, that all concerned have signed the compromise deed. It is also stated at the bar, by the learned counsels appearing for the contesting litigants, that the purportedly forged

private document became drawn amongst the concerned, allegedly at the instance of the concerned.

3. The learned State counsel submits, that the report under Section 173 Cr.P.C., has yet not been submitted before the learned Magistrate concerned.

4. When the instant petition came up before this Court on 10.1.2022, an order was made upon the learned Magistrate concerned, to make a report to this Court, with respect to the genuineness of the compromise, as also whether any accused is a proclaimed offender, and, that whether the accused persons are involved in any other FIR or not.

5. The afore made order by this Court on 10.1.2022, has been complied with by the learned Magistrate concerned, and, the elicited report has been placed on record. A perusal of the report, transmitted to this Court, by the learned Magistrate concerned, reveals that the settlement/compromise, arrived at *inter se* the petitioners, and, respondents No. 2 to 6, is a sequel of both, being *ad idem* qua it, besides the compromise/settlement being a sequel of no pressure or coercion, being exercised upon each other. Therefore, the learned Magistrate has reported that the settlement/compromise, depended upon by the petitioners, for seeking quashing of the FIR (supra), is both voluntary, and, genuine.

6. Since, the offence(s) carried in the FIR (supra), are compoundable, and, also when a valid compromise has been entered into, *inter se*, the accused petitioners, and, the respondent(s)-complainant, besides when the learned State Counsel has stated that the challan is yet to be presented before the learned Court concerned. Therefore, this Court deems it fit to allow the petition.

7. Consequently, the present petition is allowed, and, the FIR (supra), and, also all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SURESHWAR THAKUR)
JUDGE

April 05, 2022
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No