

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

CRM-43004-2022 in/and
CRM-M-26896-2022 (O&M)
Date of Decision:- 18.11.2022

Gurpreet Kaur ... Petitioner

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. P.S.Jammu, Advocate, for the petitioner.

Ms. Swati Batra, DAG, Punjab.

Mr. Rajinder Partap, Advocate, for respondents No.2 to 4.

GURVINDER SINGH GILL, J. (Oral)

CRM-43004-2022

In view of the reasons mentioned in the application, the same is allowed and the matter is preponed from 11.1.2023 and is taken on Board today itself.

CRM-M-26896-2022 (O&M)

1. The petitioner has approached this Court seeking quashing of FIR No.215, dated 19.8.2019, Police Station City Moga, under Sections 420, 406 and 120-B IPC, and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

2. Vide order dated 6.7.2022, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get their statements recorded qua the factum of compromise.
3. Report of learned Judicial Magistrate 1st Class, Moga, has been received, wherein it has been reported that the statements of petitioner/accused Gurpreet Kaur (recorded through attorney Mr. Manjit Singh) and complainant/affected party Nirmal Singh, Ramandeep Singh and Lakhwinder Kaur have been recorded to the effect that they have compromised the matter amongst themselves.
4. The complainant/affected party Nirmal Singh, Ramandeep Singh and Lakhwinder Kaur in their statements had stated that they have no objection in case the FIR in question is quashed.
5. It may here by mentioned that although accused Gurpreet Kaur had been declared a 'Proclaimed Offender vide order dated 24.3.2021, but Gurpreet Kaur has challenged the same by way of filing CRM-M-18708-2022 wherein this Court while issuing notice of motion on 28.9.2022 had ordered that the operation of the impugned order dated 24.3.2021 vide which Gurpreet Kaur had been declared a 'Proclaimed Offender' be kept in abeyance. Statement of Gurpreet Kaur has been recorded through her attorney Manjit Singh (father of Gurpreet Kaur).
6. The learned Judicial Magistrate 1st Class, Moga, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.

7. 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.215, dated 19.8.2019, Police Station City Moga, under Sections 420, 406 and 120-B IPC and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioner.

18.11.2022

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No