

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-4739-2023

Date of Decision:27.04.2023

Phool Singh and Others

.....Petitioners

Vs.

State of Punjab and Another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. K.S. Derabassi, Advocate
for the petitioners.

Mr. Gurpreet Singh Shergill, AAG, Punjab.

Ms. Anul Bala Garg, Advocate for
respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.274 dated 15.11.2014 registered under Sections 406, 420, 120-B of IPC (Sections 465, 467, 468, 471 of the IPC was added later on) registered at Police Station Dera Bassi, District S.A.S. Nagar and all subsequent proceedings arising therefrom on the basis of compromise and affidavit dated 23.01.2018 (Annexure P-2 and Annexure P-3 respectively).

This Court vide order dated 01.02.2023 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before Learned Judicial Magistrate 1st Class and got their statements

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recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 26.04.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

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 F.I.R. No.274 dated 15.11.2014 registered under Sections 406, 420, 120-B of IPC (Sections 465, 467, 468, 471 of the IPC was added later on) registered at Police Station Dera Bassi, District S.A.S. Nagar and all subsequent proceedings arising therefrom on the basis of compromise and affidavit dated 23.01.2018 (Annexure P-2 and Annexure P-3 respectively), are quashed qua the petitioners.

April 27, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No