

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-4109-2020

Date of Decision: 15.03.2023

Dinesh KumarPetitioner

Versus

State of Punjab and another Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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Present: Mr. Mohit Garg, Advocate
for the petitioner.

Mr. Sanish Girdhar, AAG, Punjab.

Mr. Harsh Goyal, Advocate
for respondent No.2.

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MANJARI NEHRU KAUL, J. (Oral)

Instant petition has been filed under Section 482 Cr.P.C.
for quashing FIR No. 392 dated 28.10.2017 under Sections
420/177/120-B IPC registered at Police Station Focal Point, Ludhiana
(Annexure P1) along with all consequential proceedings arising
therefrom on the basis of compromise/affidavit dated 27.01.2020
(Annexure P3) effected between the parties.

Vide order dated 17.01.2023 of this Court, the parties were
directed to appear before the learned trial Court/Illaq Magistrate on
15.02.2023 to get their statements recorded regarding the compromise
arrived at, between them.

Report has since been received from learned Judicial

Magistrate, 1st Class, Ludhiana, in pursuance of the direction of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report, compromise has indeed been effected between the parties and the same is genuine, voluntary and without any pressure or coercion. The complainant has also made statement to the effect that he would have no objection if the FIR qua the accused-petitioner is quashed.

The trial Court has annexed the statements of the parties in original, alongwith its report.

Learned State counsel too submits that there are no other accused other than the petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned Judicial Magistrate, 1st Class, Ludhiana, and the principles laid down by the Apex Court in '**Gian Singh Vs. State of Punjab and others**' (2012) 10 SCC 303, and also by the Full Bench of this Court in '**Kulwinder Singh and others v. State of Punjab and another**' 2007 (3) RCR (Criminal) 1052, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

Needless to say, the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

15.03.2023

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Note: Whether speaking/reasoned
Whether Reportable:

Yes / No

Yes / No