

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

229

CRM-M-6377-2021
Date of decision: 31.05.2023

Akash Gupta

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ajit Singh, Advocate for
Mr. Ankit Aggarwal, Advocate for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

None for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.147, dated 11.07.2019, lodged under Sections 406 and 420 of the Indian Penal Code, 1860 registered at Police Station Civil Lines Bathinda, District Bathinda and the consequential proceedings arising out of the same, on the basis of compromise affidavit (Annexure P-2) arrived at, between the parties.

Vide order dated 29.03.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 20.04.2023 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Chief Judicial Magistrate, Bathinda, in pursuance of the directions 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 without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that she 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 Chief Judicial Magistrate, Bathinda 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 Vs. 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.

31.05.2023
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(MANJARI NEHRU KAUL)
JUDGE

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