

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

267

CRM-M-5019-2020

Date of Decision:25.07.2023

Gurpreet Singh Sehgal and Another
Vs.
State of Punjab and Others

.....Petitioners

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ranjeet Kumar Jaswal, Advocate
for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Vikas Gulia, Advocate for
respondent Nos.2 to 4.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0002 dated 02.01.2020 registered under Sections 420, 120-B of the IPC, 1860 and Section 24 of Emigration Act, 1983 registered at Police Station Dehlon, District Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise and affidavit dated 09.01.2020 and 20.01.2020 respectively (Annexure P-2 colly).

This Court vide order dated 06.02.2020 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 recorded. On the basis of the statements so recorded, Learned Magistrate has submitted

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report dated 28.02.2020 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Learned State as well as learned counsel for respondent Nos.2 to 4 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.0002 dated 02.01.2020 registered under Sections 420, 120-B of the IPC, 1860 and Section 24 of Emigration Act, 1983 registered at Police Station Dehlon, District Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise and affidavit dated 09.01.2020 and 20.01.2020 respectively (Annexure P-2 colly), are quashed qua the petitioners.

July 25, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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