

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

247

CRM-M-8903-2023

Date of Decision:03.05.2023

Baljinder Singh

.....Petitioner

Vs.

State of Punjab and Another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Yashpal Thakur, Advocate
for the petitioner.

Mr. Gurpreet Singh Shergill, AAG, Punjab.

Ms. Arshdeep Kaur, 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.114 dated 13.07.2019 registered under Section 420 of the IPC registered at Police Station Fatehgarh Sahib, District Fatehgarh Sahib and all subsequent proceedings arising therefrom on the basis of compromise dated 26.09.2021 (Annexure P-3).

This Court vide order dated 21.02.2023 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 recorded. On the basis of the statements so recorded, Learned

CRM-M-8903-2023

Magistrate has submitted report dated 11.04.2023 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.114 dated 13.07.2019 registered under Section 420 of the IPC registered at Police Station Fatehgarh Sahib, District Fatehgarh Sahib and all subsequent proceedings arising therefrom on the basis of compromise dated 26.09.2021 (Annexure P-3), are quashed qua the petitioner.

May 03, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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