

(265) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9343-2019

Date of Decision:13.07.2023

Surjit Singh and another

... Petitioners

Vs.

State of Punjab and another

... Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Ranbir Singh, Advocate for the petitioner.

Mr. Mohit Thakur, A.A.G. Punjab.

Mr. Amandeep Saini, Advocate for respondent No.2.

ARUN MONGA, J. (Oral)

Petitioners seek quashing of FIR No.14 dated 16.01.2019 registered under Sections 427, 439, 379 of IPC at Police Station Sadar Ferozepur, District Ferozepur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 20.02.2019 (Annexure P-2).

2. Since quashing was sought on the basis of compromise, this Court on 02.04.2019 had directed the parties to appear before the learned Illaqa/Duty Magistrate for recording their statements in support of the compromise. A veracity report was called for.

3. Report dated 20.05.2019 of learned Additional Chief Judicial Magistrate, Ferozepur, has been received. Report reveals that the statement of complainant i.e. respondent No.2 as also of accused/present petitioners herein, were duly recorded. It is opined that the compromise has been arrived without any pressure, undue influence or coercion. The report is accompanied by the statements of parties. It is apparent that the complainant/respondent No.2 and

accused/petitioners have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel for the complainant/respondent No.2 states that he would have no objection to the quashing of FIR in question.

5. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise.

A reference in this regard may be made to a decision dated 29.09.2021 of the Supreme Court in case titled **Ramgopal and another** vs. **The State of Madhya Pradesh**¹ and a Full Bench decision of this Court in **Kulwinder Singh and others** vs. **State of Punjab and others**².

6. In the premise it is an appropriate case for exercise of power under Section 482 Cr.P.C and to bring to an end the criminal proceedings initiated on the basis of impugned FIR.

7. Petition is thus allowed. FIR No.14 dated 16.01.2019 registered under Sections 427, 439, 379 of IPC at Police Station Sadar Ferozepur, District Ferozepur (Annexure P-1) along with all subsequent proceedings arising therefrom qua the petitioners stand quashed.

8. Pending application (s), if any, shall also stand disposed of.

13.07.2023

rajeev/Sachin M.

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

(ARUN MONGA)
JUDGE