

S. No.266

2023:PHHC:124599

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-12822 of 2023

Date of Decision:21.09.2023

**Sandeep Kumar and another
Vs.**

.....Petitioners

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Amandeep Vashisth, Advocate
for the petitioners.

Mr. R.S. Khaira, DAG, Punjab.

Mr. Rose Gupta, Mr. Amandeep Kumar, Mr. Amarinder
Singh Cheema, Mr. Vikas Garg and Ms. Ridhi Singla,
Advocates for respondent No.2.

DEEPAK GUPTA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0223 dated 18.09.2017 registered under Sections 420, 120-B, 465, 467, 468 and 471 IPC at Police Station Model Town, District Ludhiana, Punjab along with all subsequent proceedings arising therefrom, on the basis of compromise dated 27.02.2023 (Annexure P.2).

This Court vide order dated 23.03.2023 had directed the parties to appear before the trial Court/Area Magistrate 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 Ist Class, Ludhiana, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 04.09.2023 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.0223 dated 18.09.2017 registered under Sections 420, 120-B, 465, 467, 468 and 471 IPC at Police Station Model Town, District Ludhiana, Punjab along with all subsequent proceedings arising therefrom, on the basis of compromise dated 27.02.2023 (Annexure P.2), are quashed.

September 21, 2023

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Whether Speaking/reasoned

Whether Reportable

(DEEPAK GUPTA)

JUDGE

Yes/No

Yes/No