

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

252

CRM-M-10327-2020

Date of Decision:20.04.2023

Prem Chand and Others

.....Petitioners

Vs.

State of Punjab and Another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Akshay Kumar Jindal, Advocate
for the petitioners.

Mr. Gurpreet Singh Shergill, AAG, Punjab.

Mr. Shiv Narayan, 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.369 dated 08.12.2014 registered under Sections 420 & 120-B of the IPC registered at Police Station Zirakpur, District SAS Nagar and all subsequent proceedings arising therefrom on the basis of compromise dated 18.10.2021 (Annexure A-1).

This Court vide order dated 11.01.2022 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 report dated 17.03.2022 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.369 dated 08.12.2014 registered under Sections 420 & 120-B of the IPC registered at Police Station Zirakpur, District SAS Nagar and all subsequent proceedings arising therefrom on the basis of compromise dated 18.10.2021 (Annexure A-1), are quashed qua the petitioners.

April 20, 2023

Neetika Tuteja

(DEEPAK GUPTA)

JUDGE

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