

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

**Neutral Citation No. 2023:PHHC:139117
CRM-M-10739-2020
Date of Decision: October 31, 2023**

Sushil Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Saransh Sabharwal, Advocate for the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Vikas Malik, Advocate 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.96 dated 31.10.2019, under Section 420 of IPC and Sections 3 & 4 of Prize Chits and Money Circulation Schemes (Banning) Act, 1978, registered at Police Station Kheri Gandian, District Patiala and all subsequent proceedings arising therefrom on the basis of compromise and affidavit dated 09.11.2019 (Annexures P-2 and P-3).

2. This Court vide order dated 28.04.2023 had directed the parties to appear before the Trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send his/her report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate 1st Class, Rajpura (Duty) and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 15.06.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Statement of Respondent No.2-complainant, namely, Nirmal Singh with regard to compromise was recorded before learned Magistrate on 14.06.2023.

5. Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

6. 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.96 dated 31.10.2019, under Section 420 of IPC and Sections 3 & 4 of Prize Chits and Money Circulation Schemes (Banning) Act, 1978, registered at Police Station Kheri Gandian, District Patiala and all subsequent proceedings arising therefrom on the basis of compromise and affidavit dated 09.11.2019 (Annexures P-2 and P-3) qua petitioner(s), are hereby quashed.

October 31, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No