

S. No.298

2023:PHHC:093460

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

CRM-M-14777 of 2023

Date of Decision:24.07.2023

Amit Chawla and another

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Lovish Mittal, Advocate for the petitioners.

Mr. P.S. Pandher, AAG, Punjab.

Mr. Pranshul Dhull, 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.0274 dated 26.11.2022 registered under Sections 406, 420, 120-B IPC at Police Station City Rajpura, District Patiala and all subsequent proceedings arising therefrom, on the basis of compromise dated 06.03.2023 (Annexure P.4).

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 Sub Divisional Judicial Magistrate, Rajpura and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 17.04.2023 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.0274 dated 26.11.2022 registered under Sections 406, 420, 120-B IPC at Police Station City Rajpura, District Patiala and all subsequent proceedings arising therefrom, on the basis of compromise dated 06.03.2023 (Annexure P.4), are quashed.

July 24, 2023
renu

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No