

S. No.221

2023:PHHC:130198

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

CRM-M-16876 of 2022

Date of Decision:07.10.2023

Gurjit Singh Chauhan and another

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vivek K. Thakur, Advocate for the petitioners.

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

None 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.154 dated 21.12.2014 registered under Section 420 IPC at Police Station Phagwara City, District Kapurthala along with all subsequent proceedings arising therefrom, on the basis of compromise dated 16.10.2019 (Annexure P.9).

Learned counsel for the petitioners submits that despite the fact that respondent No.2 has received the amount as per the compromise and despite the fact that an undertaking was given on the last date of hearing by his counsel, said respondent No.2 did not appear before the trial Court through video conferencing for getting his statement recorded regarding the compromise.

On the last date of hearing, learned counsel for respondent No.2 has specifically admitted the factum of compromise.

Learned State counsel has 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.154 dated 21.12.2014 registered under Section 420 IPC at Police Station Phagwara City, District Kapurthala along with all subsequent proceedings arising therefrom, on the basis of compromise dated 16.10.2019 (Annexure P.9), are quashed.

October 07, 2023

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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No